

Annual Report

2008

Yukon Workers' Compensation
Health and Safety Board



Yukon Workers'
Compensation
Health and
Safety Board

Commission de
la santé et de
la sécurité au
travail du Yukon



Members of the Board

The Yukon Workers' Compensation Health and Safety Board (YWCHSB) is governed by a Board of Directors made up of two representatives of workers, two representatives of employers, a neutral chair and a neutral alternate chair. The President/CEO of YWCHSB sits as a non-voting member.

Craig Tuton, Chair

Appointed April 1, 2006 – March 31, 2009

(Earlier appointment: March 31, 2003 – March 30, 2006)

Vicki Hancock, Alternate Chair

Appointed August 15, 2006 – August 14, 2009

Barbara Evans, Representative of Workers

Appointed November 19, 2008 – November 19, 2011

(Earlier appointments: September 19, 2005 – September 18, 2008; September 19, 2002 – September 18, 2005; March 1, 2000 – August 30, 2002)

Michelle Kolla, Representative of Workers

Appointed July 21, 2006 – July 20, 2009

(Earlier appointments: July 21, 2003 – July 20, 2006; July 10, 2001 – July 9, 2003)

Gary Annau, Representative of Employers

Appointed November 29, 2008 – November 29, 2011

(Earlier appointments: November 29, 2005 – November 28, 2008; November 29, 2004 – November 28, 2005)

Tamara Goepfel, Representative of Employers

Appointed February 28, 2008 – February 7, 2011

Valerie Royle, President/CEO

Message from the Board

The Board of Directors is confident that the direction it has taken in 2008 and in previous years has placed the Yukon Workers' Compensation Health and Safety Board (YWCHSB) in a strong position to face our continuing challenges for the future.

Specifically, the Board is already meeting goals and objectives mid-point in the 2006-2010 Strategic Plan and Balanced Scorecard which has resulted in safer workplaces, including improved Return-To-Work outcomes for injured workers and no change to the 2009 assessment rates for employers.

The Board of Directors will continue to vigorously pursue the objectives of reducing the number of workplace injuries and disabilities through improved workplace safety, better Return-To-Work outcomes and greater cost efficiencies while improving services.

One example of better Return-To-Work outcomes and greater efficiencies is the reduction of time-loss due to injury and a faster adjudication process. By the end of last year, in 86% of claims, the last time-loss payment was made within 90 days. This compares with just over 65% at the beginning of 2006.

During this time of global economic uncertainty, the Board of Directors has maintained its conservative approach to its investments by ensuring our fiduciary responsibility to the Fund is maintained and that benefits to all injured workers are assured. This means YWCHSB is still fully funded and can provide full compensation benefits to all injured workers currently on the system.

To further maintain the integrity of the compensation system and to provide additional levels of protection to the Fund, in 2008 an Investigator position was filled. The Investigator is empowered to investigate and inquire into benefit entitlements, employer reports and third party billings.

The above actions, combined with increased operational efficiencies, enabled YWCHSB to hold assessment rates for 2009 at the same level as 2008. Following its commitment to employers, the Board of Directors is also conducting a detailed review of industry rate groups and will be meeting with stakeholders to discuss viable options for 2010.

It is the Board of Director's sincere belief that the actions it has taken and continues to take, combined with increased participation by employers, workers, and the health care community will improve the system while eventually leading to safer workplaces and lower assessment rates.

Partnerships

Yukon Federation of Labour

Financial support is provided to the Yukon Federation of Labour through YWCHSB's Prevention Fund to carry out a multi-level training program providing education to both workers and employers about the workers' compensation system and Return-To-Work planning, which assists injured workers to get back on the job as safely and quickly as possible.

The training in 2008 was carried out over nine months with 127 participants.

Support funding is also provided to the Federation for the annual Day of Mourning ceremony April 28th as well as related activities, which create awareness of the financial and human costs of workplace injuries and deaths.

Northern Safety Network Yukon (NSNY)

YWCHSB provides funding to support NSNY's mandate to develop and deliver safety programs to Yukon businesses.

A total of 960 participants took advantage of a wide variety of safety training courses with NSNY in 2008.

A key training component is the Certificate of Recognition (COR) program. COR is a comprehensive program designed to improve businesses' health and safety programs and practices.

A total of 33 Yukon companies registered in the COR program in 2008.

22 Yukon businesses were COR certified as of this year.

As of 2008, COR certification is required for all general contractors bidding on construction projects with the City of Whitehorse.

YWCHSB's Prevention Fund program provides financial support for NSNY's Small Employer Certificate of Recognition (SECOR) program. This program is for employers with less than 10 workers who want to develop and maintain company-wide safety programs.

In 2008, 24 companies registered in the SECOR program. One company is now SECOR certified.

Other organizations receiving support from YWCHSB's Prevention Fund to improve health and safety in workplaces include; Physio Plus, Yukon Mine Training Association, Yukon Human Rights Commission, Property Management Agency of Yukon Government, and The Whitehorse PARTY (Prevent Alcohol and Risk Related Trauma in Youth) Program at the Whitehorse General Hospital.

All monies from the Prevention Fund have been project committed through to the program's end date of 2010.

Effective Policies

The new *Workers' Compensation Act* was made law July 1, 2008. All YWCHSB policies were changed to reflect the prime focus of the Act, which is early and safe Return-To-Work (RTW) planning and programs.

RTW recognizes that injured workers heal more quickly and fully the sooner they return to work. Automatic time off work due to an injury is a thing of the past.

These new policies include an overview of the RTW process. It outlines the roles of workers, employers, health care providers and YWCHSB in supporting the early and safe return to work of injured workers.

Developing early and safe RTW plans for injured workers included policy directions for identifying suitable and available employment for injured workers. The employer has a duty to cooperate in providing suitable employment for injured workers. The worker has an obligation to mitigate their injury and to act in a manner consistent with recovery and early and safe Return-To-Work.

If employers or workers choose not to cooperate in this process, YWCHSB may impose penalties upon either party.

When requested, health care providers are now legislated to provide information about the injured worker's functional abilities. This information goes to YWCHSB, the worker and employer. It is used as a guide to identify suitable duties for the injured worker as part of the recovery process.

There is now a time limit on appeals of claim decisions. A worker, dependent of a deceased worker or an employer must file a notice of review or appeal within 24 months from the date of the claim decision. Notice of a review or appeal must be filed by June 30, 2010 for all decisions made before July 1, 2008.

Another policy clarifies when new information is (or is not) considered new evidence within the review and appeal process.

A new policy was developed, in the event of a death of a worker, to minimize the impact of the tragedy by assisting the spouse to maximize his or her employability or earning capacity.

Other new policies include:

EA-02 Determination of a Status of a Person: Employer, Worker, Sole Proprietor or Non-Working Director.

This policy provides clear criteria in determining when a person is a "worker", an "employer", or a "sole proprietor" to determine whether workers' compensation coverage is mandatory or optional under the *Workers' Compensation Act*.

EN-10 Subsequent Disorders or Conditions Resulting from a Work-related injury.

This policy provides guidance for decision makers at YWCHSB when subsequent disorders or conditions resulting from a work-related injury may be compensable.

RE-10 Vocational Rehabilitation.

This policy outlines the objectives, application process, services, as well as the roles and responsibilities among members of the case management team in the vocational rehabilitation of an injured worker.

RE-12 Employment Readiness

This policy provides direction on the extent of Employment Readiness programming YWCHSB will provide to injured workers who may be unable to return to their pre-injury job but have the potential to return to the work force.

Investigator results

The Investigator's job is to ensure all people involved in the compensation process are being honest and ethical. The accountability list includes YWCHSB Board members and staff, employers, workers, health care professionals and other service providers.

Employers pay for the compensation system and YWCHSB must show due diligence to ensure those funds are used properly so that assessment rates are reasonable and workers who are entitled to compensation have funds available to pay their claims now and into the future.

In 2008, a total of five investigations of claims abuse were successfully concluded by YWCHSB's Investigator.

One case involved a worker still residing in Yukon – three cases were former Yukon workers now living in British Columbia – and one case involved a worker now living in Saskatchewan.

These workers were found to be active in work including: Logging, Heavy Equipment Operation, Farming, Landscaping, and Construction.

These investigations resulted in a total savings to YWCHSB in 2008 of more than \$2 million, with an additional \$64,000 recovered from the claimants.

A sixth investigation, started in 2008, was concluded in January 2009 with savings to YWCHSB of more than \$700,000.

Specific details cannot be provided because of confidentiality policies of YWCHSB and potential future legal action.

These figures, combined with the Investigator's start-up work in 2007, will result in a total savings to YWCHB over two years of about \$3 million, with an additional \$75,000 in total recoveries.

There are currently about 30 more files awaiting further investigation.

Each of these cases may take anywhere from two weeks to a year to fully investigate.

Cost savings and recovery are worthwhile objectives, but it's equally important that everyone understands that YWCHSB will not tolerate abuse of the compensation system.

CHOICES

Yukon employers continue to sign up for YWCHSB's incentive program CHOICES. It rewards employers for improving safety and Return-To-Work (RTW) practices and programs in their workplaces.

In 2008, the first year of the CHOICES program, more than \$221,000 was awarded to employers.

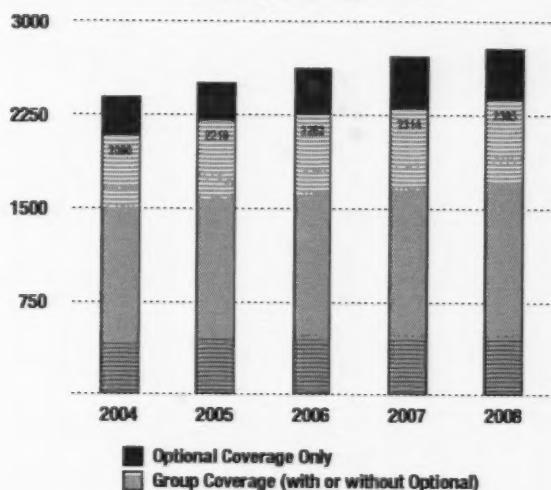
Of this total, \$138,000 was paid out in Reinvestment Rewards to reimburse employers for costs related to controlling workplace hazards.

More than \$83,000 was paid out in Cash Rewards to other CHOICES employers.

Future goals with the CHOICES program were established in 2008 to:

- help enrolled employers in 2008 to move up to a higher level;
- enrol employers who represent higher-than-average costs in their industry group; and
- work with newly registered employers to ensure they are aware of CHOICES program expectations for Occupational Health and Safety, injury reporting, as well as RTW planning and programs.

Employers Registered



RE: variance in numbers from 2007 Annual Report. Employers Registered relies on the presence of an assessment record for the year in question. This means if a business registered in 2008, but was found to have operated in earlier years, for example in 2006, then that employer would be counted in Employers Registered in the years 2006, 2007 and 2008.

Education And Awareness

The YWCHSB's Safety Management Consultant works with employers/supervisors and workers to educate and assist in improving workplace safety.

The Consultant works with CHOICES members to provide samples of safety and Return-To-Work policies as well as improving safe work procedures. They also work with OH&S Safety Inspectors to visit worksites and work with employers to discuss hazard analysis; achieving worker buy-in to safety practices and to develop effective health and safety programs.

In 2008, the Safety Management Consultant worked with 47 employers in Whitehorse, Dawson City, Carmacks, Haines Junction and Mayo.

Requested special presentations on Rights and Responsibilities were also done with a number of organizations:

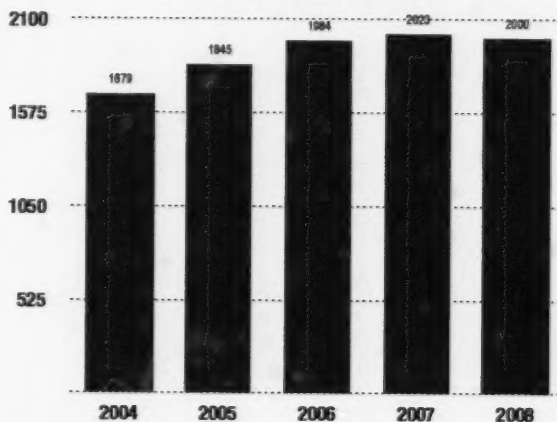
Kwanlin Dun First Nation Health Fair, Yukon Nurses Association, Yukon College, Whitehorse Correctional Centre, and the Copper Ridge Extended Care Facility in Whitehorse.

The Consultant also carried out ergonomic assessments for students at the Teslin campus of Yukon College.

Presentations were also given to several First Nations including Champagne-Aishihik, Na-cho Nyak Dun, and Kwanlin Dun. These presentations included: health and safety committees, developing safety and Return-To-Work policies as well as comparing territorial and federal legislation as it relates to workplaces.

The Board is encouraged by the number of First Nation governments that are taking steps to ensure the safety and well being of their citizens in the workplace.

Total Reported Incidents



WORKERS' COMPENSATION APPEAL TRIBUNAL

Number of Appeals Heard, Resolved and Pending in 2008

In 2008, 7 appeals were advanced by the Workers' Advocate Office for hearing. Of these appeals, the Workers' Advocate withdrew one after being notified that it was not rightfully before the tribunal. The Workers' Advocate Office also advanced two appeals in 2007 that were not heard until December 2007 and January of 2008, with decisions being rendered in January and March 2008 respectively.

One worker filed five appeals in October of 2007, with a hearing scheduled for November. Decisions were rendered early in 2008.

A total of twelve decisions were rendered in 2008. Two decisions from 2008 were pending at the beginning of 2009.

Outcome of Appeals Resolved in 2008

| | |
|-------------------------------|-------------|
| Appeals allowed – | 3 out of 12 |
| Appeals denied – | 9 out of 12 |
| Decisions pending – | 2 |
| Appeals withdrawn/cancelled – | 1 |

2008 Appeal Statistics for January 1 to December 31, 2008

Hearing Officer 2008

| | |
|-----------------------------------|-----------|
| Reviews by Hearing Officer | 48 |
| Decisions confirmed | 31 |
| Decisions reversed | 10 |
| Decisions varied | 3 |
| No Jurisdiction | 4 |

Appeal Panel of the Board of Directors

| | |
|---|----------|
| Occupational Health and Safety Appeals | 0 |
| Administrative Penalty Appeals | 0 |
| Confirmed | 0 |
| Revoked | 0 |
| Decreased | 0 |
| Assessment Appeals | 0 |
| Decision confirmed | 0 |
| Decision reversed | 0 |
| Decision varied | 0 |

Release of Information Statistics for 2008

| | Worker Advocate | Worker | Employer | Appeal Tribunal | Other | Total |
|--------------------|-----------------|-----------|-----------|-----------------|-----------|------------|
| January - March | 79 | 14 | 1 | 0 | 5 | 99 |
| April - June | 54 | 17 | 4 | 4 | 6 | 85 |
| July - September | 63 | 22 | 3 | 12 | 8 | 108 |
| October - December | 42 | 18 | 2 | 2 | 2 | 66 |
| Total | 238 | 71 | 10 | 18 | 21 | 358 |

Workplace Safety

For the first time in 6 years, the annual number of reported workplace injuries as of December 31, 2008 declined slightly.

At that time in 2007 there were 2,023 reported injuries. As of December 31, 2008, there were 2,000 reported injuries – a decline of 23. This is especially significant because Yukon's workforce increased in 2008.

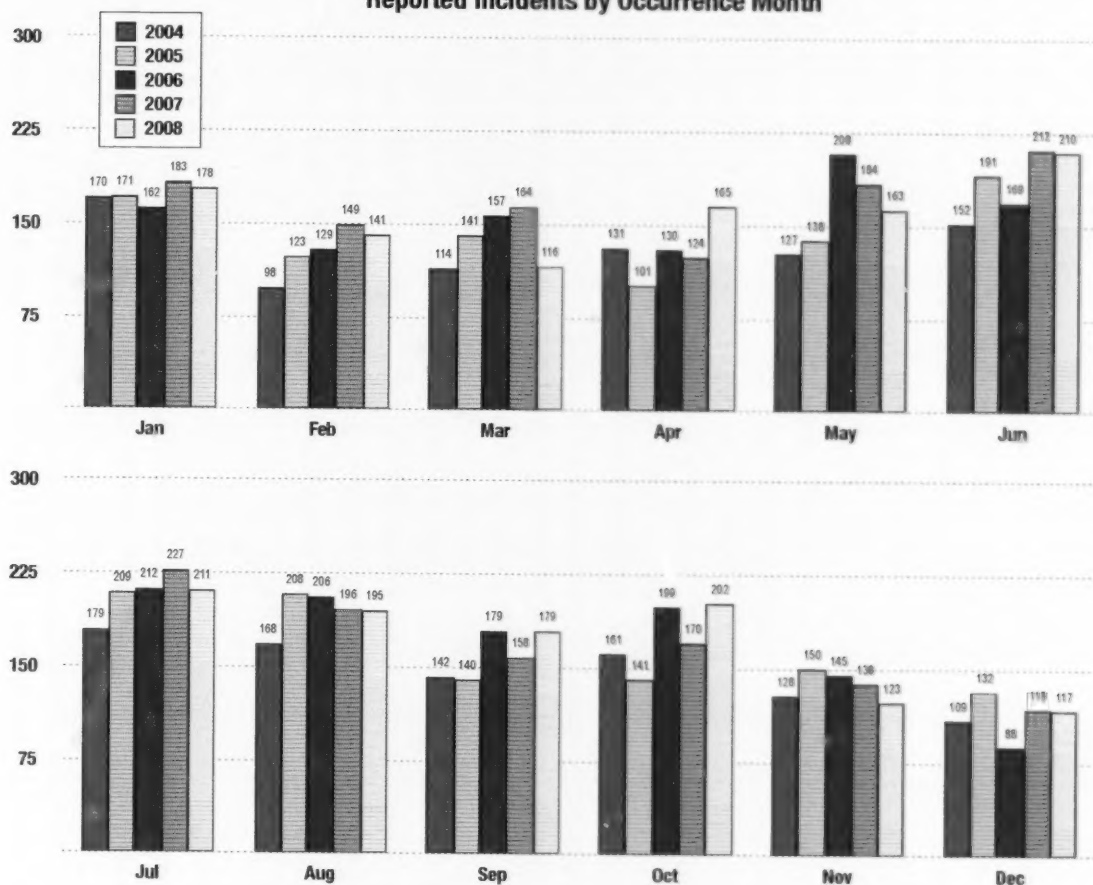
Four Occupational Health and Safety Officers and staff dealt with more than 400 referrals during 2008. These are inquiries received on a variety of issues about OH&S Regulations as well as public reporting of perceived safety hazards. In addition, 115 comprehensive investigations

resulted in 369 compliance orders being issued to Yukon businesses. There was also one investigation, which resulted in a prosecution.

Companies whose primary business occurs during the warmer months and whose job activities include high risk occupations are generally targeted for inspection at this time.

Businesses, which are on-going year-round, are generally inspected during the colder months. However, OH&S Inspectors will also inspect businesses any time of year.

Reported Incidents by Occurrence Month



Note: inclusion of occupational disease and similar cases skews results for January.

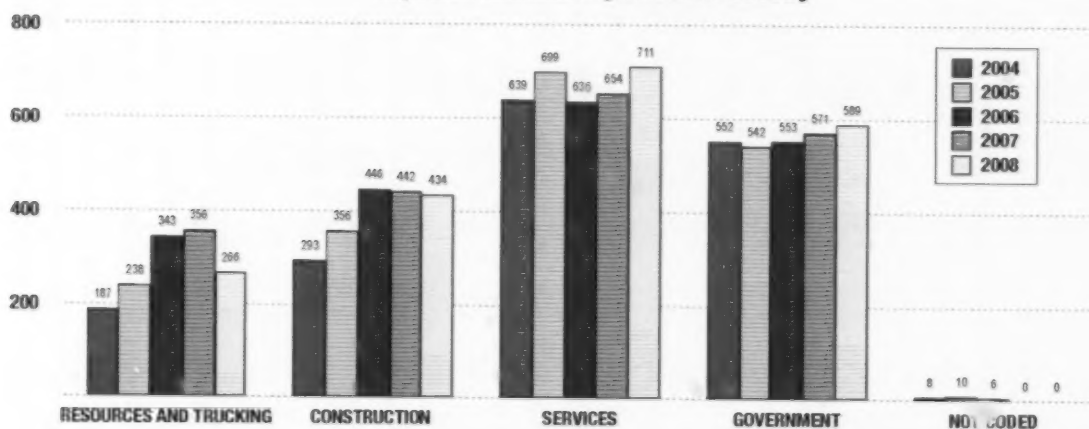
Reported Incidents by Age Group

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|--------------------|-------------|-------------|-------------|-------------|-------------|
| < 15 | 0 | 1 | 3 | 4 | 5 |
| 15-19 | 54 | 72 | 86 | 93 | 77 |
| 20-24 | 151 | 196 | 232 | 217 | 219 |
| 25-29 | 168 | 198 | 181 | 228 | 227 |
| 30-34 | 201 | 198 | 211 | 213 | 230 |
| 35-39 | 160 | 219 | 209 | 202 | 215 |
| 40-44 | 221 | 220 | 231 | 210 | 196 |
| 45-49 | 240 | 248 | 296 | 277 | 262 |
| 50-54 | 212 | 206 | 225 | 248 | 235 |
| 55-59 | 157 | 162 | 166 | 182 | 186 |
| 60-64 | 71 | 65 | 70 | 83 | 85 |
| 65+ | 35 | 40 | 48 | 47 | 39 |
| Unknown | 9 | 20 | 26 | 19 | 24 |
| Grand Total | 1679 | 1845 | 1984 | 2023 | 2000 |

Reported Incidents by Part of Body

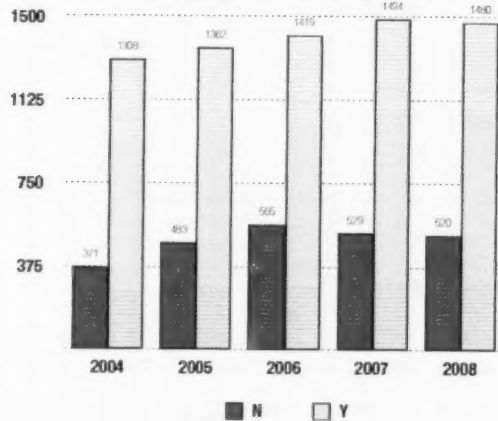
| | 2004 | 2005 | 2006 | 2007 | 2008 |
|------------------------|-------------|-------------|-------------|-------------|-------------|
| Head | 261 | 267 | 317 | 300 | 295 |
| Neck, including throat | 26 | 24 | 24 | 38 | 52 |
| Trunk | 447 | 457 | 492 | 578 | 585 |
| Upper extremities | 519 | 618 | 620 | 619 | 596 |
| Lower extremities | 248 | 288 | 323 | 342 | 331 |
| Body systems | 58 | 80 | 77 | 79 | 95 |
| Multiple body parts | 90 | 83 | 117 | 60 | 40 |
| Other body parts | 30 | 28 | 14 | 7 | 5 |
| Uncoded | 0 | 0 | 0 | 0 | 1 |
| Grand Total | 1679 | 1845 | 1984 | 2023 | 2000 |

Reported Incidents by Class of Industry

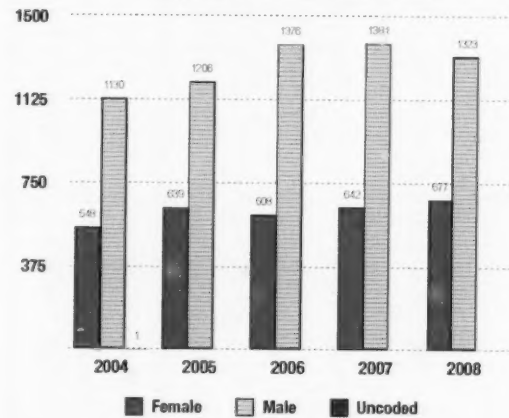


| Reported Incidents by Industry | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|-------------|-------------|-------------|-------------|-------------|
| 101 - Diamond Drilling | 19 | 38 | 95 | 84 | 58 |
| 102 - Drilling Gas or Oil Wells | 1 | 3 | 2 | 3 | 3 |
| 103 - Drilling or Digging Water Wells | 6 | 2 | | | |
| 104 - Exploration | 16 | 24 | 61 | 70 | 63 |
| 105 - Farming, Trapping or Fishing | 7 | 11 | 7 | 5 | 5 |
| 106 - Gravel Crushing or Stockpiling | 4 | 1 | 4 | 1 | 3 |
| 107 - Logging, Log Hauling, Skidding or Sawmills | 3 | 6 | 5 | 6 | 10 |
| 108 - Long Haul Trucking | 29 | 37 | 35 | 34 | 29 |
| 109 - Mapping, Surveying or Prospecting | 3 | 4 | 7 | 12 | 7 |
| 110 - Metal Mining | 15 | 18 | 11 | 28 | 20 |
| 111 - Placer Mining | 26 | 27 | 21 | 31 | 11 |
| 112 - Short Haul Trucking | 28 | 23 | 41 | 32 | 15 |
| 113 - Slashing, Staking or Line Cutting | 3 | 7 | 4 | 7 | 3 |
| 201 - Bridge Construction or Road Making | 25 | 52 | 65 | 58 | 52 |
| 202 - Building Construction | 121 | 116 | 185 | 152 | 166 |
| 203 - Concrete Construction | 9 | 7 | 5 | 5 | 8 |
| 204 - Concrete Mixing Plants | 2 | 5 | 2 | 1 | 1 |
| 205 - Construction of Transmission Lines | 8 | 15 | 9 | 1 | 7 |
| 206 - Electrical Contractors | 12 | 14 | 14 | 25 | 11 |
| 207 - Excavation | 15 | 8 | 13 | 16 | 32 |
| 208 - Heating and Air Conditioning | 3 | 10 | 12 | 13 | 7 |
| 209 - Landscaping | 1 | 4 | 3 | | 1 |
| 210 - Lumber Yards | 14 | 23 | 18 | 36 | 26 |
| 211 - Machine, Carpentry or Glazing Shops | 26 | 18 | 22 | 28 | 32 |
| 212 - Other Service Trades | 14 | 22 | 37 | 46 | 38 |
| 213 - Painting, Drywalling or Plastering | 8 | 18 | 7 | 10 | 7 |
| 214 - Plumbing, Steam Fitting or Gas Fitting | 10 | 14 | 15 | 11 | 15 |
| 215 - Trailer Courts | 5 | 4 | 4 | 4 | 3 |
| 216 - Welding Shops or Portable Welding | 20 | 26 | 35 | 36 | 28 |
| 301 - Air Services | 17 | 30 | 37 | 33 | 33 |
| 302 - Vehicle Sales or Service | 62 | 66 | 58 | 70 | 63 |
| 303 - Bulk Oil Dealers | 15 | 6 | 11 | 7 | 18 |
| 304 - Bus Lines or School Buses | 6 | 4 | 4 | 4 | 3 |
| 305 - Churches, Libraries, Museums or Schools | 17 | 26 | 17 | 14 | 22 |
| 306 - Cities, Towns, Villages or Municipalities | 63 | 44 | 68 | 63 | 61 |
| 307 - Clubs or Recreation Centres | 10 | 12 | 10 | 8 | 12 |
| 308 - Communication Services | 18 | 13 | 9 | 8 | 11 |
| 309 - Daycare | 14 | 15 | 20 | 16 | 17 |
| 310 - Heavy Equipment Sales or Service | 19 | 16 | 8 | 12 | 8 |
| 311 - Homes for Children or Seniors | 49 | 57 | 34 | 42 | 48 |
| 312 - Hotels, Motels, Lodges, Cabarets or Lounges | 87 | 82 | 83 | 66 | 74 |
| 313 - Light and Power Operations | 8 | 10 | 8 | 5 | 11 |
| 314 - Other Business | 12 | 22 | 16 | 27 | 21 |
| 315 - Other Service Industries | 21 | 23 | 24 | 19 | 30 |
| 316 - Outfitting | 4 | 3 | 9 | 6 | 3 |
| 317 - Printing, Publishing or Engraving | 5 | 5 | 3 | 2 | 4 |
| 318 - Professional Offices | 58 | 41 | 41 | 40 | 44 |
| 319 - Restaurants and Caterers | 42 | 55 | 49 | 60 | 70 |
| 320 - Retail Sales | 113 | 174 | 146 | 156 | 172 |
| 321 - Wholesale Establishments | 18 | 20 | 13 | 26 | 17 |
| 325 - Wilderness Adventure Tourism | 8 | 12 | 18 | 13 | 8 |
| 401 - First Nations | 73 | 87 | 63 | 73 | 75 |
| 402 - Government of The Yukon | 479 | 455 | 490 | 498 | 514 |
| 999 - Unknown or Not Coded | 8 | 10 | 6 | | |
| Grand Total | 1679 | 1845 | 1984 | 2023 | 2000 |

Reported Incidents by Claim

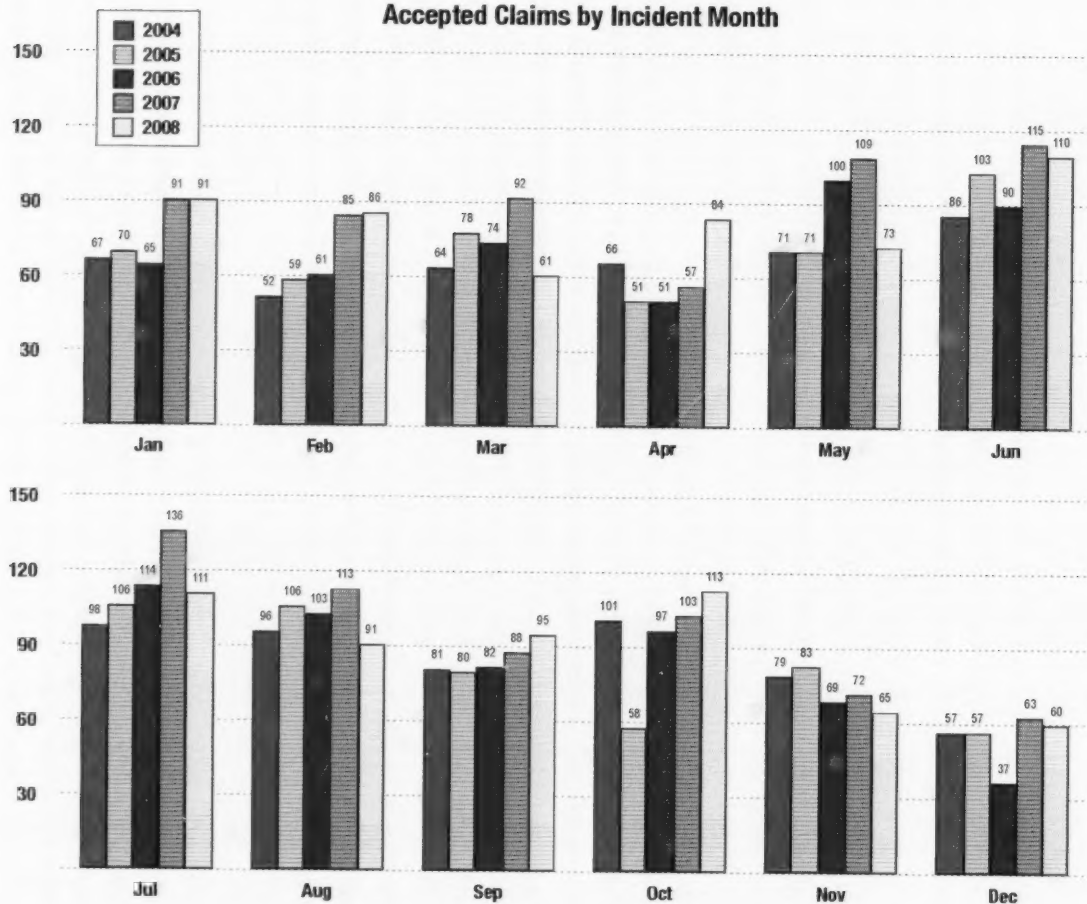


Reported Incidents by Gender



Note: an incident is counted as a "claim" if a claimant report has been submitted.

Accepted Claims by Incident Month



Return-To-Work

Claims efficiencies have allowed YWCHSB to deal more effectively with assisting injured workers to return to work as early as safely possible, as part of their healing process.

Overall, there was a reduction in time loss payments on new claims in 2008 compared to 2007, confirming that injured workers have been returning to work and recovering from their injuries more quickly.

The average number of days from the start of a claim to the time an injured worker receives the first time-loss payment is now 27 days. (2007 - 33 days).

The duration of claims is also a key factor in keeping claims costs down.

The percentage of time-loss claims in which the last payment was made within 90 days from the start of the claim has also improved, which again confirms that injured workers have been returning to work and recovering from their injuries more quickly. In 2007, the percentage of time-loss claims in which the last payment was made within 90 days from the claim starting was about 74%, and in 2008, it was almost 87%.

There were also more time-loss claims in 2008 in which the last payment was made within a year, a 6% reduction compared with 2007.

More injured workers safely returning to their jobs earlier is good for the workers, but also enables YWCHSB to keep the cost of loss of earnings benefits down.

To further support early and safe Return-To-Work, YWCHSB has also assigned a staff member as an RTW Consultant to help employers develop Return-To-Work plans for their company.

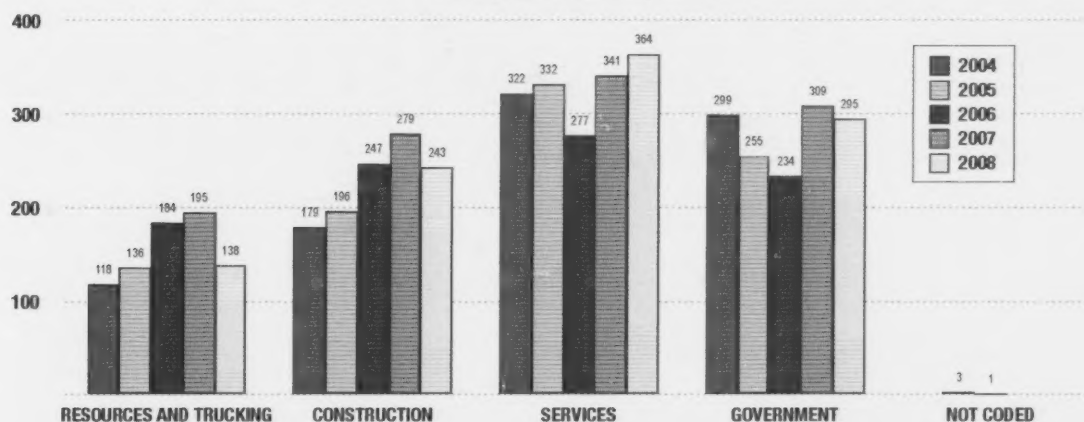
In 2008, more than 100 employers took advantage of this free assistance.

The RTW Consultant also conducts courtesy calls with employers to educate and create awareness about sections of the new *Workers' Compensation Act* that relate to Return-To-Work obligations for both employers and workers.

Accepted Claims by Part of Body

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|------------------------|------------|------------|------------|-------------|-------------|
| Head | 144 | 127 | 132 | 151 | 130 |
| Neck, including throat | 12 | 16 | 8 | 20 | 29 |
| Trunk | 286 | 258 | 262 | 345 | 345 |
| Upper extremities | 258 | 298 | 287 | 345 | 288 |
| Lower extremities | 156 | 159 | 178 | 214 | 187 |
| Body systems | 20 | 17 | 12 | 17 | 38 |
| Multiple body parts | 40 | 45 | 61 | 31 | 23 |
| Other body parts | 2 | 2 | 3 | 1 | 0 |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

Accepted Claims by Class



Young Workers

Historically, in the Yukon about 12% of the workforce is composed of young workers under the age of 25 years. They also represent about the same percentage of accepted claims.

Young workers are more vulnerable to workplace injuries because of their inexperience.

In November, YWCHSB and the Employment Standards Board were directed by the Yukon Legislative Assembly to assess the current situation involving employment of children and young people to ensure their protection from hazardous environments, substances and occupations. The assessment, which included consulting with parents, employers, youth and labour organizations, culminated in a report to the Yukon Legislature. (tabled in 2009)

YWCHSB's Young Worker Safety Coordinator presented a four hour safety program, "Work Shouldn't Hurt", to about 600 grade 10 students throughout the Yukon as part of the Planning 10 course curriculum. The program outlines the workers' compensation system, talks about why young workers are at higher risk of injury and how they're injured, identifies common workplace hazards, how to work safely with chemicals and other controlled products, and details young workers' workplace responsibilities and rights.

A variation of this program, aimed at employers and supervisors seeking COR certification, is now being offered by Northern Safety Network Yukon.

The Young Worker Safety Coordinator also worked in 2008 towards participation in the Skills Canada Yukon Territorial skills competition, further distribution of teacher resource kits about the annual Day of Mourning April 28th and on the development of curriculum for high school grades 8, 9, 11 and 12, as well as K-7.

YWCHSB has also partnered with four other Yukon organizations to raise awareness of safety for young workers.

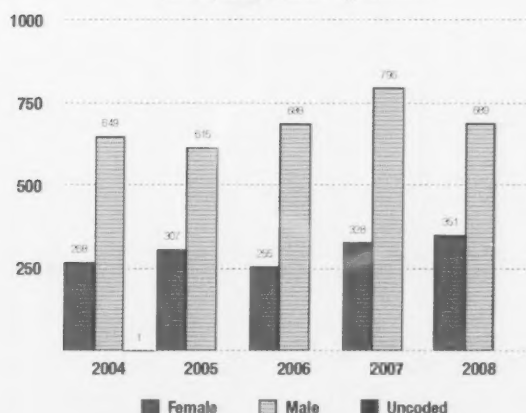
High school students, including members of Skills Canada Yukon skills clubs, were invited to make short videos on the theme, "common workplace hazards".

Prizes ranging from \$300 to \$1,000 will be awarded, with the winning videos screened at the 2009 Dawson City International Short Film Festival. Skookum Asphalt provided the first place cash prize for grades 8-10 and Yukon Energy is contributing the cash prize for first place in the grades 11-12 category.

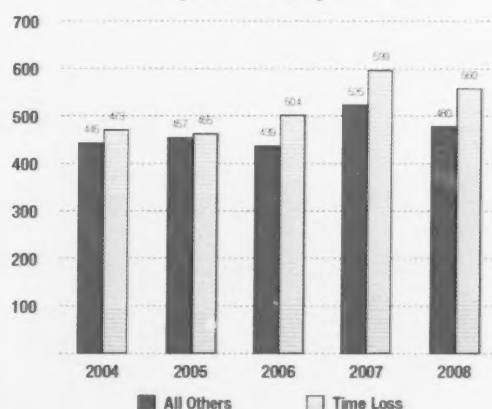
Accepted Claims by Age Group

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|--------------------|------------|------------|------------|-------------|-------------|
| < 15 | 0 | 1 | 1 | 1 | 1 |
| 15-19 | 24 | 33 | 37 | 43 | 34 |
| 20-24 | 69 | 84 | 106 | 123 | 106 |
| 25-29 | 103 | 96 | 85 | 129 | 116 |
| 30-34 | 95 | 92 | 88 | 101 | 119 |
| 35-39 | 92 | 115 | 95 | 123 | 108 |
| 40-44 | 137 | 110 | 128 | 132 | 107 |
| 45-49 | 129 | 139 | 141 | 154 | 149 |
| 50-54 | 122 | 117 | 116 | 137 | 122 |
| 55-59 | 85 | 82 | 80 | 109 | 99 |
| 60-64 | 45 | 28 | 35 | 44 | 51 |
| 65+ | 17 | 25 | 30 | 27 | 25 |
| Unknown | 0 | 0 | 1 | 1 | 3 |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

Accepted Claims by Gender



Accepted Claims by Time Loss

**Accepted Claims by Source of Injury**

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|--|------------|------------|------------|-------------|-------------|
| Chemicals and chemical products | 23 | 36 | 31 | 25 | 20 |
| Containers | 76 | 77 | 74 | 81 | 92 |
| Furniture and fixtures | 35 | 41 | 39 | 42 | 37 |
| Machinery | 55 | 64 | 57 | 47 | 67 |
| Parts and materials | 107 | 107 | 135 | 138 | 119 |
| Persons, plants, animals, and minerals | 250 | 225 | 198 | 277 | 281 |
| Structures and surfaces | 167 | 149 | 174 | 215 | 158 |
| Tools, instruments, and equipment | 85 | 94 | 93 | 160 | 119 |
| Vehicles | 31 | 50 | 48 | 64 | 71 |
| Other sources | 89 | 79 | 94 | 75 | 76 |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

Accepted Claims by Nature of Injury

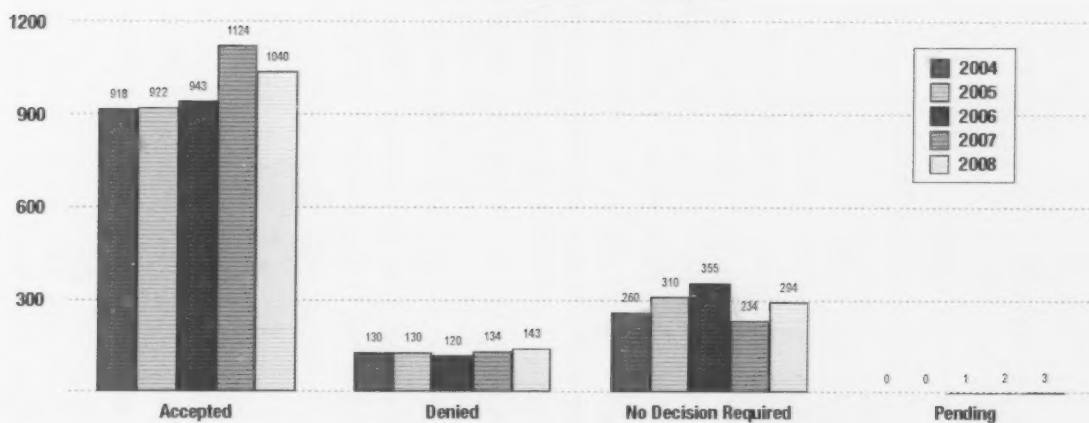
| | 2004 | 2005 | 2006 | 2007 | 2008 |
|--|------------|------------|------------|-------------|-------------|
| Traumatic injuries and disorders | 759 | 769 | 834 | 1062 | 967 |
| Systemic diseases and disorders | 87 | 88 | 63 | 22 | 26 |
| Infectious and parasitic diseases | | 1 | 4 | 6 | 4 |
| Neoplasms, tumors, and cancer | | | 1 | | |
| Symptoms, signs, and ill-defined conditions | 19 | 15 | 21 | 27 | 16 |
| Other diseases, conditions, and disorders | 4 | | | 4 | 1 |
| Multiple diseases, conditions, and disorders | | | | 1 | |
| Nonclassifiable | 49 | 49 | 20 | 2 | 26 |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

Accepted Claims by Event

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|--|------------|------------|------------|-------------|-------------|
| Contact with objects and equipment | 315 | 340 | 341 | 441 | 363 |
| Falls | 146 | 148 | 107 | 188 | 164 |
| Bodily reaction and exertion | 338 | 305 | 365 | 380 | 373 |
| Exposure to harmful substances or environments | 69 | 67 | 74 | 40 | 69 |
| Transportation accidents | 22 | 33 | 37 | 40 | 41 |
| Fires and explosions | 0 | 1 | 2 | 3 | 2 |
| Assaults, violent acts and harassment | 28 | 19 | 16 | 27 | 23 |
| Other events or exposures | 0 | 9 | 1 | 5 | 5 |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

| Accepted Claims by Industry | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|------------|------------|------------|-------------|-------------|
| 101 - Diamond Drilling | 11 | 24 | 61 | 52 | 36 |
| 102 - Drilling Gas or Oil Wells | | 1 | 2 | 1 | 2 |
| 103 - Drilling or Digging Water Wells | 5 | | | | |
| 104 - Exploration | 8 | 14 | 23 | 31 | 24 |
| 105 - Farming, Trapping or Fishing | 3 | 2 | 3 | | 2 |
| 106 - Gravel Crushing or Stockpiling | 2 | | 1 | 1 | 2 |
| 107 - Logging, Log Hauling, Skidding or Sawmills | 2 | 3 | 3 | 5 | 6 |
| 108 - Long Haul Trucking | 19 | 25 | 24 | 19 | 18 |
| 109 - Mapping, Surveying or Prospecting | 1 | 3 | 5 | 9 | 3 |
| 110 - Metal Mining | 12 | 9 | 7 | 20 | 9 |
| 111 - Placer Mining | 18 | 13 | 12 | 20 | 8 |
| 112 - Short Haul Trucking | 19 | 13 | 19 | 14 | 10 |
| 113 - Slashing, Staking or Line Cutting | 1 | 5 | 1 | 3 | |
| 201 - Bridge Construction or Road Making | 18 | 27 | 41 | 29 | 34 |
| 202 - Building Construction | 69 | 63 | 98 | 90 | 86 |
| 203 - Concrete Construction | 5 | 5 | 4 | 3 | 6 |
| 204 - Concrete Mixing Plants | 2 | 4 | 1 | | |
| 205 - Construction of Transmission Lines | 7 | 9 | 6 | | 4 |
| 206 - Electrical Contractors | 6 | 9 | 9 | 18 | 6 |
| 207 - Excavation | 7 | 4 | 6 | 9 | 16 |
| 208 - Heating and Air Conditioning | 1 | 4 | 5 | 6 | 2 |
| 209 - Landscaping | 1 | 1 | 2 | | 1 |
| 210 - Lumber Yards | 10 | 17 | 13 | 29 | 22 |
| 211 - Machine, Carpentry or Glazing Shops | 19 | 5 | 13 | 23 | 20 |
| 212 - Other Service Trades | 6 | 11 | 16 | 28 | 18 |
| 213 - Painting, Drywalling or Plastering | 4 | 8 | 3 | 6 | 2 |
| 214 - Plumbing, Steam Fitting or Gas Fitting | 7 | 10 | 7 | 9 | 7 |
| 215 - Trailer Courts | 3 | 2 | 3 | 1 | 2 |
| 216 - Welding Shops or Portable Welding | 14 | 17 | 20 | 28 | 17 |
| 301 - Air Services | 11 | 20 | 18 | 15 | 16 |
| 302 - Vehicle Sales or Service | 37 | 35 | 30 | 38 | 38 |
| 303 - Bulk Oil Dealers | 9 | 4 | 8 | 6 | 13 |
| 304 - Bus Lines or School Buses | 3 | 4 | 2 | 3 | 2 |
| 305 - Churches, Libraries, Museums or Schools | 7 | 16 | 4 | 9 | 9 |
| 306 - Cities, Towns, Villages or Municipalities | 40 | 27 | 45 | 41 | 43 |
| 307 - Clubs or Recreation Centres | 7 | 7 | 5 | 5 | 5 |
| 308 - Communication Services | 11 | 8 | 5 | 5 | 6 |
| 309 - Daycare | 11 | 6 | 10 | 8 | 12 |
| 310 - Heavy Equipment Sales or Service | 10 | 11 | 7 | 8 | 4 |
| 311 - Homes for Children or Seniors | 22 | 24 | 18 | 19 | 23 |
| 312 - Hotels, Motels, Lodges, Cabarets or Lounges | 41 | 36 | 26 | 31 | 38 |
| 313 - Light and Power Operations | 5 | 8 | 6 | 4 | 6 |
| 314 - Other Business | 7 | 13 | 5 | 15 | 13 |
| 315 - Other Service Industries | 9 | 15 | 12 | 10 | 14 |
| 316 - Outfitting | 3 | | 3 | 2 | |
| 317 - Printing, Publishing or Engraving | 3 | 3 | 1 | 2 | 3 |
| 318 - Professional Offices | 26 | 18 | 16 | 20 | 23 |
| 319 - Restaurants and Caterers | 14 | 18 | 10 | 26 | 27 |
| 320 - Retail Sales | 43 | 63 | 54 | 79 | 73 |
| 321 - Wholesale Establishments | 14 | 14 | 7 | 11 | 9 |
| 325 - Wilderness Adventure Tourism | 6 | 6 | 8 | 4 | 5 |
| 401 - First Nations | 47 | 32 | 26 | 35 | 33 |
| 402 - Government of The Yukon | 252 | 223 | 208 | 274 | 262 |
| 999 - Unknown or Not Coded | | 3 | 1 | | |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

Claims by Decision Status



Accepted Claims by Occupation Category

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|------------|------------|------------|-------------|-------------|
| Management Occupations | 22 | 27 | 33 | 17 | 30 |
| Business, Finance and Administration Occupations | 45 | 59 | 46 | 67 | 68 |
| Natural and Applied Sciences and Related Occupations | 29 | 32 | 42 | 38 | 42 |
| Health Occupations | 66 | 65 | 60 | 78 | 81 |
| Occupations in Social Science, Education, Government Service and Religion | 57 | 49 | 40 | 45 | 54 |
| Occupations in Art, Culture, Recreation and Sport | 11 | 10 | 10 | 12 | 9 |
| Sales and Service Occupations | 181 | 222 | 167 | 256 | 229 |
| Trades, Transport and Equipment Operators and Related Occupations | 445 | 390 | 475 | 530 | 467 |
| Occupations Unique to Primary Industry | 36 | 52 | 60 | 66 | 49 |
| Occupations Unique to Processing, Manufacturing and Utilities | 20 | 12 | 10 | 15 | 10 |
| Uncoded | 6 | 4 | | | 1 |
| Grand Total | 918 | 922 | 943 | 1124 | 1040 |

Assessments

Assessment revenues in 2008 totalled \$23.9 million.

Concerned by fairness and the burden that costs place on employers, YWCHSB took additional steps in 2008 to deal with those few businesses that failed to meet their assessment obligations and left others to pickup their share.

An information sharing agreement with the Canada Revenue Agency led YWCHSB to collect about \$35,000 in assessment premiums from Yukon employers that had not registered as required by law.

A Financial Recovery Manager was designated to collect monies owed from those that did not pay as required. In some cases these were employers that had registered but did not pay their full assessments. Every effort was made to set up payment schedules that worked for both the business and YWCHSB. Such focused attention helped to level the playing field for all employers.

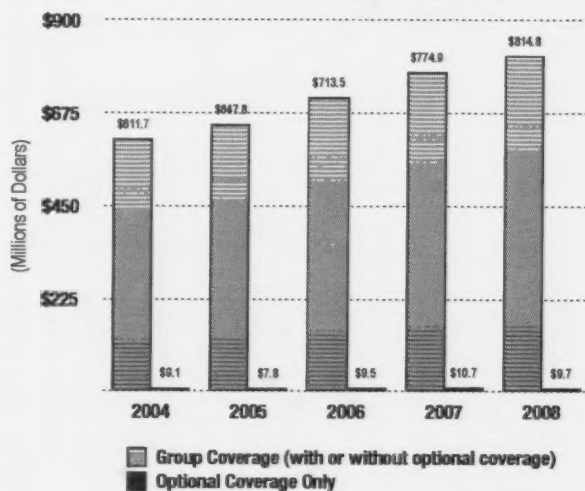
Assessments also issued approximately 15,000 Letters of Clearance. These letters confirm with an employer that contractors doing work for their company were registered with YWCHSB and had paid their assessment premiums.

When a contractor has not arranged or paid for their own coverage, the business that contracted them is obligated to pay the contractor's Workers' Compensation assessment premiums on the labour portion of that contract.

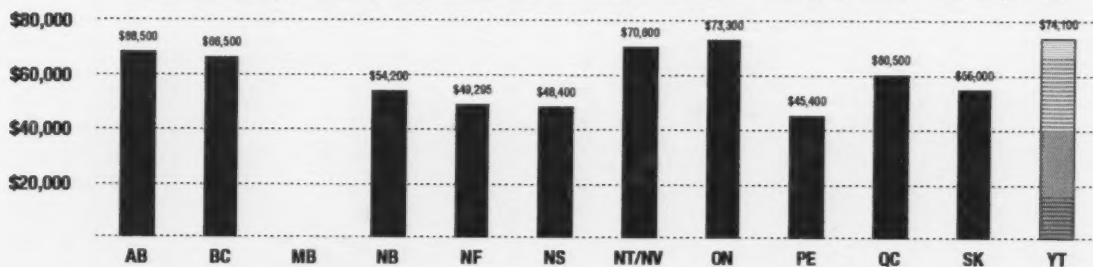
To prevent this from happening, the employer can request that the contractor provide an YWCHSB Letter of Clearance proving that they have proper workers' compensation coverage.

Before final payment is made by the employer to the contractor, the employer should request another YWCHSB Letter of Clearance proving that their coverage is still intact.

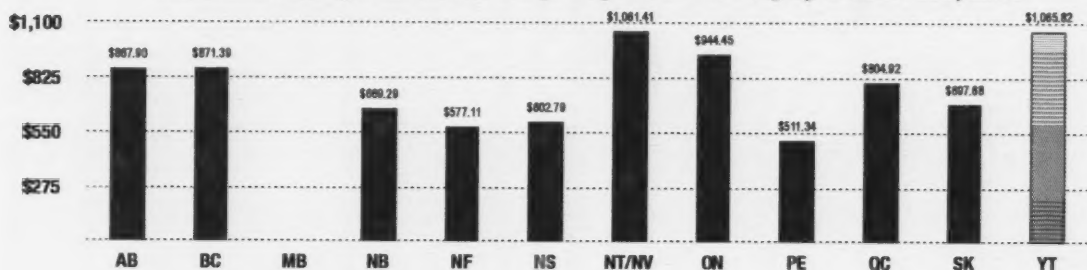
Assessable Payroll Reported



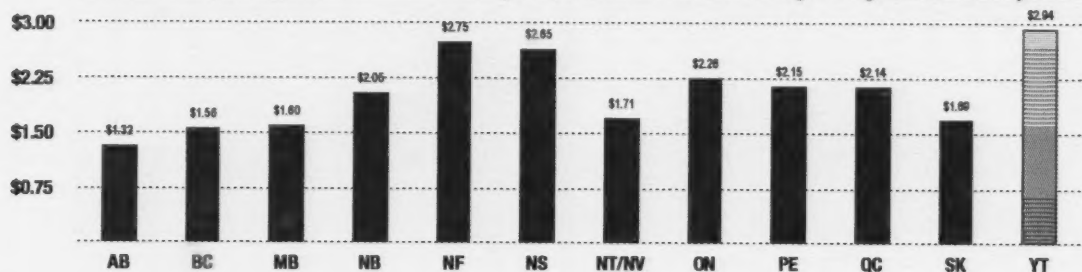
Maximum Wage Rate by Jurisdiction, Canadian Workers' Compensation Boards, 2008



Maximum Weekly Benefits for Temporary Total Disability by Jurisdiction, 2008

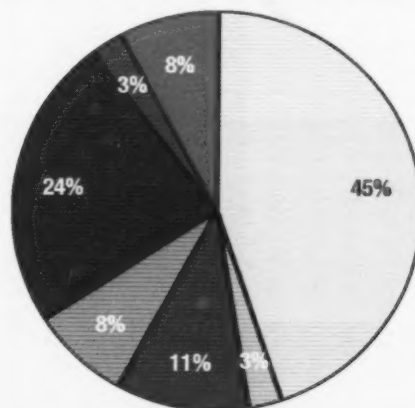


Provisional Average Assessment Rate per \$100 of Assessable Payroll by Jurisdiction, 2008



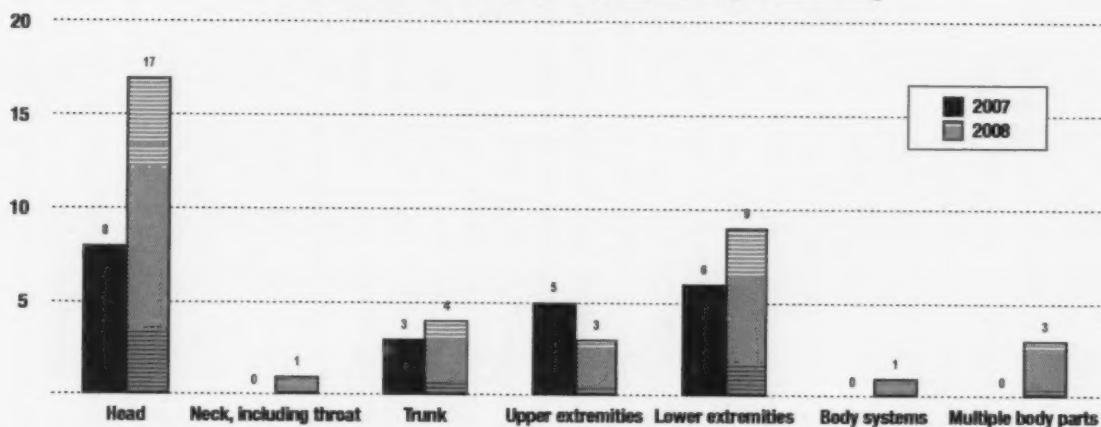
NOTE: Effective Jan 2006, MB no longer has a ceiling on maximum insurable/compensable earnings.

Permanent Impairment Awards by Part of Body 2008



- Head
- Neck, including throat
- Trunk
- Upper extremities
- Lower extremities
- Body systems
- Multiple body parts

Paid Awards for Permanent Impairment by Part of Body



Management Discussion and Analysis

This segment of the report deals with the Compensation Fund's financial performance for the year ended December 31, 2008. The audited financial statements that follow are integral to this analysis, and should be read in conjunction with it.

The operating deficit in 2008 was \$18.3 million versus a deficit of \$6.6 million in 2007. The major contributing factor to the deficit was the \$14.8 million loss in investment revenue, which declined significantly due to the severe global economic downturn that gained momentum in the 4th quarter of 2008. Overall the investment portfolio – which is valued based on market value at the end of the year – posted a negative return of 10.7% compared to the benchmark return of negative 11.8%. Investment income from dividends and interest totalled \$5.3 million but this was offset by capital losses (the vast majority of which are unrealized) of \$19.7 million due to large drops in all major stock market indexes around the world.

This decline in investment revenue has led to an overall revenue decrease of \$10.6 million from the previous year. Offsetting the reduction in investment revenue was an increase in assessment revenue which increased from 22.5 million in 2007 to 23.9 million in 2008 due to the continued strength of the Yukon economy and the final removal of all rate subsidies.

Total current and future claims costs increased marginally in 2008 and totalled \$17.5 million versus \$17.1 million for 2007. The main contributor to the increased costs being higher costs of medical services. Lost time claims costs continue to be at levels much lower than previous years as improved management practices, combined with changes in legislation continue to impact this area positively through a focus on return to work and recovery.

The Benefit Liability increased to \$114.7 million as at December 31, 2008 which was an increase of only \$2.3 million (2%) from the previous year. Normally, the benefit liability would be expected to increase more than this as more injured workers enter the system each year. However, more diligent management of long term claims led to a more positive result.

Direct operating costs have remained steady in 2008 as the YWCHSB focused on controlling costs and streamlining operations without impacting service levels.

The YWCHSB continues to invest in prevention through partnership agreements with its stakeholders via the Prevention Fund spending \$675,000 with various partners in 2008 versus \$935,000 in 2007.

Despite the decrease in its investment portfolio, the Compensation Fund has maintained a strong balance sheet and remains fully funded. This can be attributed to its funding policy which was designed to provide a financial cushion due to unusual adverse events such as the stock market decline in 2008. The 2008 funding ratio (ratio of total assets to total liabilities) is 105% with total reserves totalling \$6.3 million at the end of 2008.

In 2008, the YWCHSB has continued its preparation for the conversion to International Financial Reporting Standards from Canadian generally accepted accounting principles effective January 1, 2011. A project team is in place and is analyzing current changes and options in order that they can inform key decision makers and stakeholders of significant changes that will affect financial reporting of the Compensation Fund.

In 2008, the YWCHSB adopted three new Handbook sections issued by the Canadian Institute of Chartered Accountants (CICA). Section 1535, "Capital Disclosures," establishes standards for disclosing information about the entity's capital and how it is managed. These standards require an entity to disclose the following:

- Its objectives, policies and processes for managing capital;
- Summary quantitative data about what it manages as capital;
- Whether during the period it complied with any externally imposed capital requirements to which it is subject to; and
- Whether the entity has not complied with such requirements and the consequences of such non-compliance.

Section 3862 "Financial Instruments – Disclosures" modifies the disclosure requirements for financial instruments that replaced Section 3861 "Financial Instruments – Disclosure and Presentation." The new standards require entities to provide disclosures in their financial statements that enable users to evaluate:

- The significance of financial instruments for the entity's financial position and performance; and
- The nature and extent of risks arising from financial instruments to which the entity is exposed during the period and at the balance sheet date, and how the entity manages those risks.

Section 3863 "Financial Instruments – Presentation" carries forward unchanged the presentation requirements of the old Section 3861 "Financial Instruments – Disclosure and Presentation." The adoption of these standards did not have an effect on the Compensation Fund's results, financial position or cash flows.

MANAGEMENT'S RESPONSIBILITY FOR FINANCIAL REPORTING

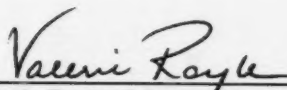
The management of the Yukon Workers' Compensation Health and Safety Board (the board) is responsible for establishing and maintaining a system of books, records, internal controls and management practices designed to provide reasonable assurance that reliable financial information is produced on a timely basis; Compensation Fund assets are safeguarded and controlled; transactions of the Compensation Fund are in accordance with relevant legislation, regulations and board policies; and that the board's resources are managed efficiently and economically and the operations of the board are carried out effectively.

Management is also responsible for the integrity and objectivity of the financial statements of the Compensation Fund. The financial statements as at December 31, 2008, which include amounts based on management's best estimates as determined through experience and judgement, are in accordance with Canadian generally accepted accounting principles. Other financial information included in the Annual Report is consistent with these financial statements.

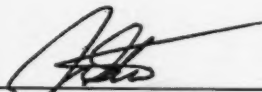
Members of the Board of Directors (the Board) are responsible for ensuring that management fulfills its responsibilities for financial reporting and internal control. The Board exercises its responsibilities through the Finance, Investment, and Audit Committee. The Finance, Investment, and Audit Committee meets with management and the external auditors on a regular basis. The Committee has reviewed the financial statements and has submitted its report to the Board, which has approved these financial statements.

The Auditor General of Canada conducts an independent audit for the purpose of expressing her opinion on the financial statements. She also considers whether the transactions that come to her notice in the course of the audit are, in all significant respects, in accordance with specified legislation.

Morneau Sobeco, an independent consulting actuarial firm, has completed an actuarial valuation of the benefits liability included in the financial statements of the Compensation Fund and reported thereon in accordance with accepted actuarial practice.



Valerie Royle, BComm (Hons), MBA
President and Chief Executive Officer



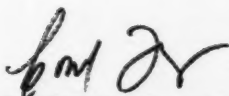
Jim Stephens, CMA, CGA
Vice President, Operations and
Chief Financial Officer

February 26, 2009

Actuarial Statement of Opinion

I have completed the actuarial valuation of the benefits liability of the Yukon Workers' Compensation Health and Safety Board (the "board") as at December 31, 2008 (the "valuation date"). Details of the data, actuarial assumptions, valuation methods and results are included in the actuarial valuation report as at the valuation date, of which this statement of opinion forms part. In my opinion:

1. The estimate of the actuarial liability as at the valuation date is \$114,709,000. This includes provisions for benefits expected to be paid after the valuation date for claims that occurred on or before the valuation date. This liability includes future administrative expenses for all benefits except Annuity benefits payable at age 65. It does not include any self-insured employers. A provision for future claims arising from long latency occupational diseases is not included in this valuation.
2. The liability as at the valuation date for Annuity contributions and interest already set aside by the board up to the valuation date for purposes of providing pension benefits at age 65 to injured workers and dependent spouses of deceased workers was obtained from the board's finance division staff and is included in item 1 above.
3. The valuation is based on the provisions of the *Workers' Compensation Act* of the Yukon Territory and on the board's policies and practices in effect on the valuation date.
4. The data on which the valuation is based were supplied by the board in accordance with specifications provided by us. We applied such checks of reasonableness of the data as we considered appropriate, and have concluded that the data are sufficient and reliable to permit a realistic valuation of the benefits liability.
5. The actuarial assumptions adopted in computing the liability are adequate and appropriate, and the methods used are in accordance with accepted actuarial practice for Workers' Compensation organizations in Canada. The economic assumptions are consistent with the funding and investment policies of the board. The discount rates used are disclosed in note 9 to the financial statements.



Conrad Ferguson, F.S.A., F.C.I.A.
Partner, Morneau Sobeco

This report has been peer reviewed by Thane MacKay, F.S.A., F.C.I.A.



Auditor General of Canada
Vérificateur général du Canada

AUDITOR'S REPORT

To the Minister responsible for the Compensation Fund

I have audited the balance sheet of the Compensation Fund as at December 31, 2008 and the statements of operations and comprehensive income, changes in funded position, and cash flows for the year then ended. These financial statements are the responsibility of the Fund's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Fund as at December 31, 2008 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles. As required by the *Workers' Compensation Act*, I report that, in my opinion, these principles have been applied on a basis consistent with that of the preceding year.

Further, in my opinion, proper books of account have been kept and the financial statements are in agreement therewith. In addition, the transactions of the Fund that have come to my notice during my audit of the financial statements have, in all significant respects, been in accordance with the *Workers' Compensation Act* and regulations, the *Occupational Health and Safety Act* and regulations and the *Financial Administration Act* and regulations.

Sheila Fraser

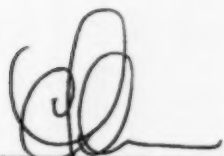
Sheila Fraser, FCA
Auditor General of Canada

Vancouver, Canada
February 28, 2009

Compensation Fund**Balance Sheet****As at December 31**

| | 2008 (\$000s) | 2007 (\$000s) |
|---|-------------------|-------------------|
| ASSETS | | |
| Accounts receivable (note 4) | \$ 2,354 | \$ 3,137 |
| Investments (note 5) | 119,877 | 134,651 |
| Property and equipment (note 6) | 6,988 | 6,802 |
| | <u>\$ 129,219</u> | <u>\$ 144,590</u> |
| LIABILITIES | | |
| Bank overdraft (note 7) | \$ 4,141 | \$ 2,913 |
| Accounts payable and accrued liabilities (note 8) | 3,188 | 3,632 |
| Benefits liability (note 9) | 114,709 | 112,488 |
| Accrued employee benefits (note 10) | 857 | 968 |
| | <u>122,895</u> | <u>120,001</u> |
| FUNDED POSITION (note 11) | | |
| Prevention Fund | 3,123 | 3,798 |
| Reserves | 3,201 | 20,791 |
| | <u>6,324</u> | <u>24,589</u> |
| | <u>\$ 129,219</u> | <u>\$ 144,590</u> |

Commitments and Contingencies (notes 13 and 17)

*The accompanying notes are an integral part of these financial statements.***Approved by the Yukon Workers' Compensation Health and Safety Board**

Craig Tuton
Chair

Compensation Fund**Statement of Operations and Comprehensive Income**For the year ended December 31

| | 2008 (\$000s) | 2007 (\$000s) |
|---|------------------------|-----------------------|
| Revenue | | |
| Assessments | \$ 23,878 | \$ 22,491 |
| Investments - net (note 14) | (14,806) | (2,958) |
| Recoveries and other receipts | 830 | 978 |
| | <u>9,902</u> | <u>20,511</u> |
| Expenses | | |
| Claims expenses (note 9) | 17,501 | 17,125 |
| Administration (note 15) | | |
| General and Administration | 7,539 | 7,015 |
| Occupational Health and Safety | 1,300 | 1,312 |
| Workers' Advocate | 405 | 312 |
| Act Review | 313 | 26 |
| Appeal Tribunal | 154 | 135 |
| Prevention (note 16) | 955 | 1,207 |
| | <u>28,167</u> | <u>27,132</u> |
| Operating deficit and Comprehensive loss | <u>\$ (18,265)</u> | <u>\$ (6,621)</u> |

The accompanying notes are an integral part of these financial statements.

Compensation Fund
Statement of Changes in Funded Position
For the year ended December 31

| | 2008 (\$000s) | 2007 (\$000s) |
|---|------------------|------------------|
| FUND BALANCE | | |
| Balance, beginning of year | \$ 24,589 | \$ 31,210 |
| Annual operating deficit and comprehensive loss | (18,265) | (6,621) |
| Balance, end of year | <u>6,324</u> | <u>24,589</u> |
| Allocation of Funded Position: | | |
| PREVENTION FUND | | |
| Balance, beginning of year | 3,798 | 4,733 |
| Transfer to Stabilization Fund | (675) | (935) |
| Balance, end of year | <u>3,123</u> | <u>3,798</u> |
| ADVERSE EVENTS RESERVE | | |
| Balance, beginning of year | 16,380 | 16,380 |
| Balance, end of year | <u>16,380</u> | <u>16,380</u> |
| STABILIZATION RESERVE | | |
| Balance, beginning of year | 4,411 | 10,097 |
| Annual operating deficit and comprehensive loss | (18,265) | (6,621) |
| Transfer from Prevention Fund | 675 | 935 |
| Balance, end of year | <u>(13,179)</u> | <u>4,411</u> |
| Total Reserves Balance | <u>\$ 3,201</u> | <u>\$ 20,791</u> |

The accompanying notes are an integral part of these financial statements.

Compensation Fund

Statement of Cash Flows

For the year ended December 31

| | 2008 (\$000s) | 2007 (\$000s) |
|--|-------------------|-------------------|
| Cash flows from operating activities | | |
| Cash received from: | | |
| Employers, for assessments | \$ 24,144 | \$ 21,834 |
| Investment revenue - net | 4,874 | 6,545 |
| Recoveries and other receipts | 788 | 2,036 |
| | <u>29,806</u> | <u>30,415</u> |
| Cash paid to: | | |
| Claimants or third parties on their behalf | (15,280) | (15,368) |
| Employees, for salaries and benefits | (6,870) | (6,694) |
| Suppliers, for administrative and other goods and services | (3,378) | (3,272) |
| | <u>(25,528)</u> | <u>(25,334)</u> |
| Cash provided by operating activities | <u>4,278</u> | <u>5,081</u> |
| Cash flows from investing activities | | |
| Proceeds on sales and maturities of investments | 51,167 | 55,765 |
| Purchases of investments | (55,763) | (61,010) |
| Purchases of property and equipment | (910) | (1,006) |
| Cash used in investing activities | <u>(5,506)</u> | <u>(6,251)</u> |
| Net decrease in cash | (1,228) | (1,170) |
| Bank overdraft, beginning of year | (2,913) | (1,743) |
| Bank overdraft, end of year | <u>\$ (4,141)</u> | <u>\$ (2,913)</u> |

The accompanying notes are an integral part of these financial statements.

Compensation Fund

Notes to the Financial Statements

December 31, 2008

1. Nature of Operations

The Compensation Fund (the Fund) was established by the *Workers' Compensation Act* (the Act) and is administered by the Yukon Workers' Compensation Health and Safety Board (the board) pursuant to the Act. In 2008, the Act was amended and received Assent in the Legislative Assembly. The effective date of the new Act is July 1, 2008. The Fund, as administered by the board, provides compensation for injury or death by accident arising out of and in the course of employment. Annual assessments are levied upon employers by applying their industry assessment rate to their actual or estimated payrolls for the year. The assessment and investment revenue pays for all claims, administration and prevention expenses. In 1992, the board was made responsible for the administration of the *Occupational Health and Safety Act* and regulations to advance strategies for preventing workplace injuries in the territory.

2. Significant Accounting Policies

These financial statements have been prepared by management in accordance with Canadian generally accepted accounting principles.

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts in the financial statements and accompanying notes. Actual results could differ significantly from those estimates. The more significant management estimates relate to the determination of the benefits liability, accrued employee benefits, useful life of property and equipment, and accounts receivable and assessments revenue.

The following is a summary of the significant accounting policies:

(a) Benefits liability

The benefits liability is determined annually and represents the actuarial present value of all future benefit payments expected to be made for claims which have occurred in the current fiscal year or in any prior year. The benefits liability includes a provision for future payments on claims that have not been finalized to date. It also includes a provision for all benefits provided by current legislation, policies and administrative practices in respect of existing claims as well as future claims management costs. No provision has been made for claims related to known latent occupational diseases where the claim has not yet been reported and the year of disablement would be in a subsequent period (note 17).

The benefits liability is comprised of three liabilities for medical aid and compensation, pension, and annuity:

Medical aid and compensation includes benefits for medical aid, compensation for loss of earnings and personal property, lump sum payments for permanent impairment, rehabilitation assistance, emergency transportation, traditional aboriginal healing, and death and funeral expenses.

The pension liability includes monthly pension benefits indexed annually that are paid to spouses, dependent children and guardians of dependent children of those who die from a work-related injury.

The annuity liability is for workers who have received compensation for the same disability for at least 24 months. An amount equal to ten percent of the total compensation payments, plus interest, is set aside to provide a retirement annuity at sixty-five years of age.

(b) Financial instruments**Recognition and measurement**

The board has made the following classifications of the Fund's financial instruments:

Investments

Pursuant to CICA Handbook Section 3855, *Financial Instruments – Recognition and Measurement*, the board has elected to designate all investments as held for trading. Consequently, investments are recorded at fair value. The fair value of publicly traded investments is the quoted market prices. Pooled fund units are valued at their year-end net asset value, as determined by the fund manager. Purchases and sales of investments are recognized on the trade date. Short-term investments held by the investment managers for investment purposes are included in Investments.

Realized gains and losses, arising on the sale of investments, are recognized in investment income in the period earned net of previously recognized unrealized gains and losses. Unrealized gains and losses, arising from fluctuations in fair value, are recognized in investment income in the period in which they arise. Investment income arising from dividends and interest is recognized in the period earned. Investment income is presented net of investment management fees and transaction costs.

Investments denominated in foreign currencies are translated into Canadian dollars at exchange rates prevailing at the end of the year. Income from investments is translated at the rate in effect at the time it is earned. Exchange gains and losses resulting from the translation of foreign currency balances and transactions are recognized in investment income in the period in which they arise.

The board does not enter into any financial derivative instruments as part of managing its investment portfolio.

Other financial assets and liabilities

Accounts receivable and assessments receivable are classified as loans and receivables. Bank overdraft, accounts payable and accrued liabilities, and assessments refundable are classified as other financial liabilities. All are initially measured at fair value, and subsequently measured at amortized cost using the effective interest rate method. Due to the short-term nature of accounts receivable, assessments receivable, bank overdraft, accounts payable and accrued liabilities, and assessments refundable, their carrying value approximates fair value.

Disclosure and presentation

Effective January 1, 2008, the Fund adopted the new CICA Handbook Sections 3862, *Financial Instruments – Disclosures* and 3863, *Financial Instruments – Presentation*. The standards require the disclosure of information with regards to the significance of financial instruments for the Fund's financial position and operations, the nature and extent of risks arising from financial instruments to which the Fund is exposed during the period and at the balance sheet date, and how the Fund manages those risks. These standards replace CICA Handbook Section 3861 *Financial Instruments – Disclosure and Presentation*. The additional disclosures required as a result of adopting these standards are included in note 3.

(c) Capital disclosures

Effective January 1, 2008, the Fund adopted the new CICA Handbook Section 1535, *Capital Disclosures*. This section requires disclosure of the board's objectives, policies and processes for managing the Fund's capital, quantitative data about what the board regards as capital and whether capital requirements have been complied with and if it has not complied, the consequences of such non-compliance. The additional disclosures are presented in note 11.

(d) Assessments

Assessment revenue is calculated monthly on actual or estimated payrolls as reported by the employer, or on provisional assessments as determined by the board. Separate rates of assessment are established for each industry classification. At year end, assessments receivable and payable are adjusted based on the difference between estimated and actual payrolls. An allowance for doubtful accounts is provided for assessments receivable based on management's best estimate.

The board administers the Government of Yukon employees' compensation claims related to injuries prior to January 1, 1993 when the Government was a self-insured employer. The Fund receives reimbursement for the claim costs and related administrative expenses of those employees (note 12). These amounts are recorded in Recoveries and other receipts in the year in which the related expenses are incurred.

(e) Recoveries from third parties

In certain limited circumstances, under section 51 of the *Workers' Compensation Act*, the board is deemed to be an assignee of a cause of action in respect of a claimant's disability. The claimant receives 25% of any settlement received after deducting all the costs of the action. This is over and above any future benefits entitlement. The remaining amount is used to offset future claims benefits, which were previously expensed in accordance with actuarial calculations, and which were previously incorporated in the benefits liability.

Revenue received from third party recoveries is recorded in the year the settlement occurs. No provision is made in the benefits liability for possible future third party recoveries because of their contingent nature.

(f) Property and equipment

Property and equipment is recorded at cost less accumulated amortization. Salaries, wages and benefits directly related to internally developed property and equipment are included in the asset's costs. Development costs capitalization will cease when the item is substantially complete and ready for use. The costs will be transferred to the related asset category and amortized. Amortization is calculated on the straight-line method, using rates based on the estimated useful life of the assets as follows:

| | |
|--------------------------------|---------------|
| Buildings | 40 years |
| Furniture and equipment | 5 to 10 years |
| Computer systems and equipment | 5 to 10 years |

(g) Employee future benefits**Pension benefits**

All eligible employees participate in the Public Service Pension Plan administered by the Government of Canada. The Fund's contribution to the Plan reflects the full cost of the employer contributions. This amount is currently based on a multiple of the employees' required contributions, and may change from time to time depending on the experience of the Plan. These contributions represent the total pension obligations of the Fund and are expensed during the year in which the services are rendered. The Fund is not currently required to make contributions with respect to any actuarial deficiencies of the Public Service Pension Plan.

Other benefits

Under conditions of employment, employees may qualify and earn employment benefits for vacation, sick leave, long service, and severance benefits. The benefit obligation is determined on an actuarial basis. The liability for accrued employee benefits is based on the December 31, 2008 actuarial valuation as calculated by the board's actuary. The obligation for vacation leave, sick leave, and severance benefits are calculated using the projected benefit method prorated on service. The long service leave benefit is calculated assuming all employees receive the benefits on the valuation date.

(h) Government funding

In 2005 the Government of Yukon approved the reinstatement of ongoing funding for the Mine Rescue Program, which was transferred to the board in 1993, through an annual grant to the board, beginning in fiscal 2005. This funding is to be reviewed by the Government, at a minimum, every five years. The revenue is accounted for in Recoveries and other receipts in the period in which the related expenses are incurred (note 12).

(i) Future accounting changes

In early 2008, the Canadian Accounting Standards Board announced that publicly accountable Canadian reporting entities will be required to follow International Financial Reporting Standards (IFRS) for fiscal years beginning on or after January 1, 2011. The Fund will be required to have comparative figures for 2010 and an opening balance sheet at the beginning of 2010 to comply with IFRS standards. Management is assessing the impact to the financial statements of adopting IFRS.

3. Risk Management

The Fund has exposure to the following financial risks: credit risk, liquidity risk, and market risk (which also includes inflation risk, interest rate risk and currency risk). The Fund's exposure to these risks arises primarily in relation to its investment portfolio, but also in relation to its other financial assets and liabilities.

The Fund's management is responsible for monitoring performance, recommending changes to the Investment Policy, and selecting fund managers. The Board of Directors is ultimately responsible for governance and strategic direction of the investment portfolio through its review and approval of the Investment Policy. The portfolio managers' compliance with this Investment Policy is monitored on a regular basis. Quarterly, the board retains independent consultants to benchmark the performance of its fund managers and to advise on the appropriateness and effectiveness of its Investment Policy and practices.

The following sections present information about the Fund's exposure to each of the above risks and the board's objectives, policies and processes for measuring and managing each risk.

Credit risk

Credit risk on financial instruments arises from the possibility that the issuer of a fixed-term instrument fails to meet its obligations. To manage this risk, the board has determined that short-term investments must have a credit rating of at least R1L, and long-term investments require a rating of BBB or higher by the Dominion Bond Rating Service or the equivalent rating by Moody's, in order to be eligible for consideration as an investment. Diversification of credit risk is managed by limiting the exposure in a single private institution to 15% of the portfolio. The board has stayed within these guidelines during the year.

Fixed Income Portfolio Credit Ratings

| Ratings: | AAA | AA | A | BBB | 2008 (\$'000's) | 2007 (\$'000's) |
|-------------------------|-----------|-----------|-----------|----------|--------------------|--------------------|
| Fixed Income Securities | 25,823 | 16,455 | 15,152 | 3,015 | 60,445 | 61,698 |
| Totals | \$ 25,823 | \$ 16,455 | \$ 15,152 | \$ 3,015 | \$ 60,445 | \$ 61,698 |

The Fund's exposure to credit risk associated with its accounts receivable and assessments receivable is the risk that an employer or a cost recovery customer (customer) will be unable to pay amounts due to the Fund. Allowances for doubtful accounts are provided for potential losses that have been incurred at the balance sheet date. The amounts disclosed on the balance sheet are net of these allowances for bad debts. Accounts receivable and assessments receivable are considered for impairment on a case-by-case basis when they are past due or when objective evidence is received that a customer will default. The board takes into consideration the customer's payment history, their credit worthiness and the then current economic environment in which the customer operates to assess impairment. The board recognizes a specific bad debt provision when management considers that the expected recovery is less than the actual amount receivable. All bad debts are charged to administration expenses.

The board believes that the credit risk of accounts receivable and assessments receivable is mitigated by the following:

- The employer base is dispersed across various industries, with government comprising a significant concentration. The non government based employers may be affected by any downturns due to prevailing economic conditions.
- As at December 31, 2008, approximately 97% of accounts receivable and assessments receivable are outstanding for less than 90 days. The board does not require collateral or other security from employers or customers for accounts receivable.
- The board has the power and remedies to enforce payment owing to the Fund.

All of the Fund's accounts receivable and assessments receivable are reviewed for indicators of impairment. A provision for doubtful accounts receivable and assessments receivable of \$89,000 (2007 – \$41,000) is included in Accounts Receivable.

Securities - lending risk

To generate additional income, the board's fund manager may lend any of its investments to eligible third parties for short periods. These loans are secured against loss with cash or readily marketable securities having a minimum fair value of 100% of the loan. Included in the fund manager's pooled fund investments, at year end, the board's share of outstanding securities on loan amounted to nil (2007 – \$3,851,000). The amount of collateral held for the securities at year end was nil (2007 – \$4,144,000). For the year, securities-lending transactions within the board's fund manager's pooled investment funds generated incremental income of \$15,000 (2007 – \$5,000).

Liquidity risk

Liquidity risk is the risk that the Fund is not able to meet its financial obligations as they become due or can do so only at excessive cost. The board's operations are financed through a combination of the cash flows from operations and investments. One of management's primary goals is to maintain an optimal level of liquidity through the active management of the assets and liabilities as well as the cash flows. The board has access to the Government of Yukon overall line of credit facility with the Government's banker. This access provides the board with overdraft coverage when needed. The Fund's accounts payable had a carrying value of \$3,188,000 as at December 31, 2008 (2007 – \$3,632,000) and are all due within 60 days.

Market risk

The Fund is exposed to market risk, which is the risk that the fair value or future cash flows of its investments will fluctuate in the future because of economic conditions. Market risk is managed through diversification between different asset classes and geographic diversification and by limiting the concentration in any single entity to 15% or less of the fair value of the investment fund.

The table below presents the Fund's investment targets and actual asset mix at fair value as at December 31, 2008:

| | Target | | Actual | |
|------------------------|---------|---------|---------|---------|
| | Minimum | Maximum | 2008 | 2007 |
| Equities | | | | |
| Canadian | 0% | 25% | 15.00% | 16.30% |
| United States | 0% | 25% | 14.00% | 15.80% |
| International | 0% | 25% | 17.60% | 20.10% |
| Fixed Income | | | | |
| Short-term Investments | 0% | 10% | 2.60% | 1.80% |
| Bonds | 35% | 85% | 50.80% | 46.00% |
| | | | 100.00% | 100.00% |

The table below presents the effect of a material adverse change in the fair value of each of the categories of equities in the Fund's investments portfolio:

| % change in fair value | 2008 (\$000's) | | 2007 (\$000's) | |
|------------------------|-------------------|------------|-------------------|------------|
| | 10% | 20% | 10% | 20% |
| Equities | | | | |
| Canadian | \$ (1,775) | \$ (3,550) | \$ (2,184) | \$ (4,368) |
| United States | (1,691) | (3,382) | (2,114) | (4,228) |
| International | (2,112) | (4,224) | (2,702) | (5,404) |

Inflation risk

Inflation risk is the risk that a general increase in price level may result in loss of future purchasing power for current monetary assets. The board manages inflation risk through its investment allocation between equities and fixed income investments.

Interest rate risk

Interest rate risk is the risk that the value of a financial security will fluctuate due to changes in market interest rates. The Fund's investment portfolio is exposed to interest rate risk through its holdings of short and long-term fixed income investments. Interest rate risk is minimized by actively managing the duration of the fixed income investments.

The table below presents the effects of a 50 and 100 bps¹ adverse change in the nominal interest rate on the bond portfolio:

| | 2008 (\$000's) | | 2007 (\$000's) | |
|-------|-------------------|------------|-------------------|------------|
| | +50bp | +100bp | +50bp | +100bp |
| Bonds | \$ (1,810) | \$ (3,620) | \$ (2,143) | \$ (4,282) |

(1) One basis point (bp) equals 1/100 of 1%; 50 bp's = 50/100 of 1% or 0.5%.

The table below presents the remaining terms to maturity at fair value, along with the average effective yields for each maturity, for fixed income investments exposed to inflation and interest rate risk as at December 31, 2008:

| | Remaining term to maturity | | | 2008 (\$000's) | 2007 (\$000's) |
|-------------------------|----------------------------|--------------|------------|-------------------|-------------------|
| | 1 - 5 years | 5 - 10 years | > 10 years | Total | Total |
| Bonds | \$ 27,931 | \$ 15,397 | \$ 17,117 | \$ 60,445 | \$ 61,698 |
| Average effective yield | 3.24% | 4.80% | 5.06% | 4.15% | 4.62% |

Currency risk

Currency risk is the risk that the value of financial assets and liabilities denominated in foreign currencies will fluctuate due to changes in their respective exchange rates.

Within its pooled investments, the Fund is exposed to exchange rate volatility that is managed by the contracted fund manager. The board does not undertake long-term hedging strategies for the currency risk of foreign investments. The fair value of the Fund's US dollar investments as at December 31, 2008 was \$27,781,000 (2007 – \$35,297,000). The Fund did not hold any investments in other foreign currencies at December 31, 2008 (2007 – nil).

The table below presents the effects of a change in the Canadian/US dollar exchange rates for all equities held in US dollars:

| | 2008 (\$000's) | 2007 (\$000's) |
|---|-------------------|-------------------|
| | CDN / USD | CDN / USD |
| 10% appreciation in the Canadian Dollar | | |
| US Dollar based Equities | \$ (2,526) | \$ (3,208) |

Derivative financial instruments

The board does not have any derivative financial instruments at year end (2007 – nil).

4. Accounts Receivable

| | 2008 (\$000s) | 2007 (\$000s) |
|-------------------------------|------------------|------------------|
| Receivable | | |
| Assessments | \$ 2,040 | \$ 2,865 |
| Government of Yukon (note 12) | 204 | 140 |
| Other receivables | 110 | 132 |
| | <u>\$ 2,354</u> | <u>\$ 3,137</u> |

5. Investments

The Board of Directors has established an investment policy for the management of the investment process, utilizing external investment portfolio managers. The portfolio managers' compliance with this investment policy is monitored on a regular basis.

| | 2008 (\$000s) | 2007 (\$000s) |
|------------------------------|-------------------|-------------------|
| | Fair Value | Fair Value |
| Fixed-term securities | | |
| Federal bonds | \$ 13,683 | \$ 19,715 |
| Provincial bonds | 4,290 | 2,822 |
| Corporate bonds | 42,472 | 39,161 |
| | <u>60,445</u> | <u>61,698</u> |
| Equities | | |
| Canadian | 17,750 | 21,844 |
| United States | 16,914 | 21,145 |
| International | 21,122 | 27,018 |
| | <u>55,786</u> | <u>70,007</u> |
| Other Investments | | |
| Cash on account | 103 | 99 |
| Short term investments | 3,136 | 1,758 |
| Accrued interest receivable | 500 | 1,148 |
| | <u>3,739</u> | <u>3,005</u> |
| Investments, sub-total | 119,970 | 134,710 |
| Management fee accrual | (93) | (59) |
| | <u>\$ 119,877</u> | <u>\$ 134,651</u> |

6. Property and Equipment

| | 2008 (\$000s) | | 2007 (\$000s) | |
|------------------------------------|------------------|-----------------------------|-----------------------|-----------------------|
| | Cost | Accumulated Amortization | Net Carrying Value | Net Carrying Value |
| Land | \$ 390 | \$ - | \$ 390 | \$ 390 |
| Buildings | 3,731 | (1,380) | 2,351 | 2,353 |
| Furniture and equipment | 630 | (557) | 73 | 98 |
| Computer systems and equipment | 6,336 | (2,299) | 4,037 | 3,801 |
| Systems development ⁽¹⁾ | 137 | - | 137 | 160 |
| | <u>\$ 11,224</u> | <u>\$ (4,236)</u> | <u>\$ 6,988</u> | <u>\$ 6,802</u> |

⁽¹⁾ As of December 31, 2008, costs of \$137,000 (2007 - nil) for the Occupational Health and Safety system were capitalized and will not be amortized until 2010 when the system is substantially complete and in use.

7. Bank Overdraft

The board has access to the Government of Yukon's overall line of credit facility with its banker. This access provides the board with overdraft coverage when needed. At December 31, 2008, the Fund was not required to pay interest on the overdraft.

8. Accounts Payable and Accrued Liabilities

| | 2008 (\$000s) | 2007 (\$000s) |
|--|------------------|------------------|
| Payable | | |
| Assessments | \$ 431 | \$ 988 |
| Government of Yukon (note 12) | 2,191 | 1,579 |
| Other payables and accrued liabilities | 566 | 1,065 |
| | <u>\$ 3,188</u> | <u>\$ 3,632</u> |

9. Benefits Liability

| | 2008 (\$000s) | | | | 2007 (\$000s) |
|----------------------------|-------------------------------|------------------|-----------------|-------------------|-------------------|
| | Medical Aid & Compensation | Pension | Annuity | Total | Total |
| Balance, beginning of year | \$ 83,786 | \$ 22,235 | \$ 6,467 | \$ 112,488 | \$ 110,731 |
| Add claims costs incurred: | | | | | |
| Current year injuries | 13,964 | 416 | — | 14,380 | 14,369 |
| Prior years' injuries | 1,901 | 1,247 | (27) | 3,121 | 2,756 |
| | <u>15,865</u> | <u>1,663</u> | <u>(27)</u> | <u>17,501</u> | <u>17,125</u> |
| Less claims payments made: | | | | | |
| Current year injuries | 3,008 | — | — | 3,008 | 2,025 |
| Prior years' injuries | 10,762 | 1,681 | (171) | 12,272 | 13,343 |
| | <u>13,770</u> | <u>1,681</u> | <u>(171)</u> | <u>15,280</u> | <u>15,368</u> |
| Balance, end of year | <u>\$ 85,881</u> | <u>\$ 22,217</u> | <u>\$ 6,611</u> | <u>\$ 114,709</u> | <u>\$ 112,488</u> |

The key actuarial assumptions used to value the benefits liability as at December 31 are as follows:

| | 2008 | 2007 |
|--|-------|-------|
| Discount rate for medical aid benefits - net ⁽¹⁾ | 1.50% | 1.50% |
| Discount rate for compensation benefits - net ⁽²⁾ | 4.00% | 4.00% |
| Discount rate for survivor and other pension benefits - net ⁽²⁾ | 4.00% | 4.00% |

⁽¹⁾ Net of a discount rate attributable to inflation of 5.5%

⁽²⁾ Net of a discount rate attributable to inflation of 3.0%

The benefits liability was determined using accepted actuarial practice in accordance with standards established by the Canadian Institute of Actuaries. The actuarial present value of future benefits reflects management's and the actuary's best estimates of long term economic and actuarial assumptions. As these assumptions may change over time to reflect underlying economic or legislated conditions, it is possible that such changes could cause a material change to the actuarial present value of future benefit payments. The fair value for the benefits liability is not practical to determine due to its long-term nature.

Significant changes in the benefits liability due to changes in legislation and actuarial assumptions included the following:

| | Increase (decrease) in benefits liability | |
|--|--|-------------------|
| | 2008 (\$000s) | 2007 (\$000s) |
| Adjustments to mortality factors | \$ 1,242 | \$ 1,224 |
| Other changes in actuarial assumptions | (570) | — |
| Favourable claims experience during year | (3,544) | (1,249) |
| Change in provision for recovery from injury | — | 4,773 |
| Legislative change | — | (6,711) |
| | <u>\$ (2,872)</u> | <u>\$ (1,963)</u> |

10. Employee Future Benefits

(a) Accrued employee benefits

The liability accrual for employee non-pension benefits, including vacation, sick leave, long service, and severance at December 31 was as follows:

| | 2008 (\$000s) | 2007 (\$000s) |
|--|------------------|------------------|
| Accrued employee benefits, beginning of the year | \$ 968 | \$ 1,587 |
| Payments made during the year | (48) | (164) |
| Costs for the year | 107 | 268 |
| Changes in Actuarial assumptions | (170) | (723) |
| Accrued employee benefits, end of the year | <u>\$ 857</u> | <u>\$ 968</u> |

The key assumptions used to calculate the accrued employee benefits are a liability discount rate of 7.5% (2007 – 5.5%) and an annual rate of general escalation in wages of 3% (2007 – 3%).

(b) Public Service Pension Plan

Contributions made to the Public Service Pension Plan by the Fund and the employees for the year were as follows:

| | 2008 (\$000s) | 2007 (\$000s) |
|--------------------------|------------------|------------------|
| Employees' contributions | \$ 315 | \$ 269 |
| Fund contributions | 633 | 573 |

11. Capital Management and Reserves

The *Workers' Compensation Act* establishes that one of the purposes of the Act is to maintain a solvent Compensation Fund managed in the interest of workers and employers. To ensure that the Fund is able to meet its financial obligations, premiums charged to employers over time must be sufficient to cover current and future costs of all claims incurred by injured workers. These assessment revenues combined with investment returns from the Fund's assets are designed to provide the foundation for the Fund to meet all current and future obligations for injured workers.

The Board of Directors considers that capital includes all assets and liabilities. There have been no changes in the objectives and definition of capital from the previous period. The Fund does not have any external capital requirements. The reserves are established to protect the fully funded position of the Fund and to stabilize the effect of fluctuations in the employer assessment rates and investment returns. The Fund is considered fully funded when there are sufficient funds for the payment of all present and future compensation, including the cost of administration. At the end of the fiscal year, once the benefits liability is determined, the remaining difference between the Fund's assets and liabilities is allocated to reserves.

The Board of Directors uses the Funding Ratio (Assets/Liabilities) to manage capital. At December 31, 2008, the Funding Ratio is 105% (2007 – 120%). The decline in the Funding Ratio is a result of the decrease in the Investments portfolio caused by the sharp downturn in the global equity markets during 2008.

In 2008, the Board of Directors amended the Fund's Funding Policy established in 2005, which provides for the establishment of a temporary fund (Prevention Fund) and two new reserves (Adverse Events Reserve and Stabilization Reserve).

Under the current Funding Policy, the Prevention Fund and two reserves are established as follows:

Prevention Fund:

The Prevention Fund serves to provide funding for the start up costs of pre-selected accident prevention and workplace safety initiatives. It was initially established in 2005, with \$5,000,000 and will not be replenished once depleted. In 2008, a total of \$675,000 (2007 – \$935,000) was incurred on accident prevention and workplace safety initiatives. At December 31, 2008, the Prevention Fund has a balance of \$3,123,000 (2007 – \$3,798,000).

Reserves:

(i) Adverse Events Reserve

The Adverse Events Reserve is to provide funding for infrequent, unexpected adverse claims experience and catastrophic events to protect employers from the sudden impact of the costs of these types of events. The target level for this reserve is \$18,881,000 (2007 – \$18,569,000), which has been set at 100 times the maximum wage rate plus 10 percent of the benefits liability and is calculated annually upon completion of the actuarial valuation of the benefits liability. Costs related to catastrophic and adverse events and latent occupational diseases are charged to this reserve; 2008 – nil (2007 – nil). This reserve is limited to its target level. Funds in excess of the target level are transferred to the Stabilization Reserve; 2008 – nil (2007 – nil). At December 31, 2008, the Adverse Events Reserve has a balance of \$16,380,000 (2007 – \$16,380,000).

Transfers cannot be made from this reserve to any other temporary fund or reserve if the transfer will reduce this reserve below its target level.

A funding deficiency exists when the reserve is below its target level; 2008 – \$2,501,000 (2007 – \$2,189,000). In the event of a charge against this reserve and when a funding deficiency exists, the following steps will be taken to replenish the reserve to its target level:

- Any recovery of the costs charged to this reserve will be added to this reserve, up to the target level.
- Any surplus in the Stabilization Reserve will be transferred to this reserve to replenish it up to the target level, if possible.
- If the transfer from the Stabilization Reserve is not sufficient to replenish this reserve to the target level, the reserve will be replenished by a special assessment premium surcharge based on an established schedule as outlined in the Funding Policy.
- In subsequent years, if a recovery or a surplus in the Stabilization Reserve becomes sufficient to replenish the reserve, any special assessment premium surcharge will be cancelled.

In 2009 a premium surcharge was included in the assessment rates as required by the Funding Policy.

(ii) Stabilization Reserve

The Stabilization Reserve is to protect the fully funded position of the Fund and to stabilize the effect of fluctuations on employer assessment rates. The target level for this reserve is equal to 10 percent of the benefits liability; 2008 – \$11,471,000 (2007 – \$11,249,000). The operating range for this reserve is determined as the target level balance plus or minus 3.5 percent of the benefits liability. The annual operating surplus (deficit), 2008 – (\$17,590,000) (2007 – (\$5,686,000)), net of any amounts charged to the temporary fund and the Adverse Events Reserve, is transferred to this reserve. At December 31, 2008, the Stabilization Reserve has a deficit balance of \$13,179,000 (2007 – surplus balance of \$4,411,000).

This reserve is considered to have a surplus when its balance exceeds the top of the operating range. Any surplus (determined as the difference between the reserve balance and its target level) is transferred to the Adverse Events Reserve, up to the target level if the latter reserve is below target. If the Adverse Events Reserve is at its target level and the balance of the Stabilization Reserve exceeds the upper threshold of the operating range, any surplus will be applied as an employer assessment premium rebate based on an established schedule as outlined in the Funding Policy.

A funding deficiency, 2008 – \$24,650,000 (2007 – \$6,838,000), exists when the reserve balance is below its target level. The amount of the deficiency is determined as the difference between the reserve balance and its target level. In the event that this reserve falls below the lower threshold of the operating range, 2008 – \$7,456,000 (2007 – \$7,312,000), the following steps will be taken:

- Any amounts in excess of the target level in the Adverse Events Reserve will be transferred to the Stabilization Reserve, up to the target level, if possible.
- Any remaining deficiency will be replenished up to the target level by a special assessment premium surcharge based on an established schedule as outlined in the Funding Policy.

In 2009 a premium surcharge was included in the assessment rates as required by the Funding Policy.

12. Related Party Transactions

As a statutory Corporation of the Government of Yukon (the Government), the board is related to all Government departments, agencies and Government corporations. The board enters into transactions with these entities in the normal course of business and the transactions are recorded at the exchange amount, which approximates fair value. All mainframe computer software is owned by the Government. The board has access to the Government's overall line of credit facility with its banker. This access provides the board with overdraft coverage when needed. At December 31, 2008, the Fund was not required to pay interest on the overdraft.

The Compensation Fund paid the Government \$858,000 (2007 – \$951,000) for building maintenance, computer, office supplies, payroll processing, recruitment, vehicle and rehabilitation services. The Fund reimbursed the Government for payroll costs of \$6,870,000 (2007 – \$6,218,000).

The Government pays certain claims costs to the Compensation Fund for claims prior to 1993 (note 2d) and also reimburses the cost of supplementary benefits pursuant to the Yukon Workers' Compensation Supplementary Benefits Ordinance. Supplementary compensation benefits are granted, pursuant to the Yukon Workers' Compensation Supplementary Benefits Ordinance, to all persons receiving compensation on or after October 1, 1973 for accidents prior to that date. Compensation is increased to the amount that would have been granted had the accident occurred after the Act came into force. The cost of these benefits is recovered from the Yukon Consolidated Revenue Fund.

Effective January 1, 1993, all Government employees were covered by the Fund. Revenues and recoveries from the Government of Yukon for the years ended December 31 are as follows:

| | 2008 (\$000s) | 2007 (\$000s) |
|-------------------------------------|------------------|------------------|
| Assessments | \$ 5,640 | \$ 4,951 |
| Pre-93 claims costs | 43 | 170 |
| Supplementary compensation benefits | 397 | 402 |
| Recoveries and other receipts | 343 | 373 |

As at December 31, balances due to and from related parties are as follows:

| | 2008 (\$000s) | 2007 (\$000s) |
|--|------------------|------------------|
| Due to Government of Yukon (note 8) | \$ 2,191 | \$ 1,579 |
| Due from Government of Yukon - Recoveries (note 4) | 204 | 140 |
| Due from Government of Yukon - Assessments | - | 590 |

13. Commitments

The board has commitments for computer software development and maintenance fees, professional legal and medical services, contribution agreements, Prevention Fund agreements and office leases for the next five years, in thousands of dollars, as follows:

| | Computer software | Professional Services Contracts | Contribution Agreements | Prevention Fund Agreements | Office Leases | Total |
|------|----------------------|---------------------------------------|----------------------------|----------------------------------|------------------|-----------------|
| 2009 | 32 | 399 | 280 | 225 | 13 | 949 |
| 2010 | 30 | 266 | 280 | 205 | 7 | 788 |
| 2011 | 28 | 177 | - | - | - | 205 |
| 2012 | - | 67 | - | - | - | 67 |
| 2013 | - | - | - | - | - | - |
| | | | | | | <u>\$ 2,009</u> |

14. Investment Revenue

| | 2008 (\$000s) | 2007 (\$000s) |
|-------------------------------------|--------------------|-------------------|
| Interest and dividends | | |
| Bonds and short-term investments | \$ 3,116 | \$ 3,098 |
| Equities | 2,197 | 3,895 |
| | <u>5,313</u> | <u>6,993</u> |
| Gains and (losses) - net | | |
| Realized (losses) gains in the year | (21) | 989 |
| Change in fair value in the year | (19,652) | (10,484) |
| | <u>(14,360)</u> | <u>(2,502)</u> |
| Investment management fees | (446) | (456) |
| | <u>\$ (14,806)</u> | <u>\$ (2,958)</u> |

15. Administration Expenses

| | 2008 (\$000s) | 2007 (\$000s) |
|--------------------------------------|------------------|------------------|
| Salaries and benefits | \$ 6,556 | \$ 5,682 |
| Consulting and professional | 803 | 712 |
| Amortization | 723 | 665 |
| General administration | 286 | 132 |
| Buildings | 285 | 289 |
| Automobile and travel | 224 | 196 |
| Communications | 212 | 297 |
| Computer systems | 192 | 191 |
| Board expenses | 158 | 143 |
| Staffing and recruitment | 98 | 117 |
| Printing and publications | 85 | 112 |
| Supplies and stationery | 58 | 67 |
| Furniture and equipment | 31 | 23 |
| Write-down of property and equipment | - | 174 |
| | <u>\$ 9,711</u> | <u>\$ 8,800</u> |

16. Prevention Expenses

| | 2008 (\$000s) | 2007 (\$000s) |
|--|------------------|------------------|
| Contribution Agreements - funded through the Prevention Fund | \$ 675 | \$ 935 |
| Contribution Agreements - funded through the Stabilization Reserve | 280 | 272 |
| | <u>\$ 955</u> | <u>\$ 1,207</u> |

17. Contingencies

The Fund is required to pay for future costs of claims relating to certain latent occupational diseases which may have occurred in the current year or previously, but which may not be recognized and reported for a number of years due to the extended latency period of such diseases. Because of the absence of reliable evidence and data pertaining to these matters, these liabilities cannot be estimated and are not included in the benefits liability or the financial statements.

Due to the nature of the board's operations, various legal matters are pending. In the opinion of management, these matters will not have a material effect on the Fund's financial position or results of operations.

18. Comparative Figures

Certain prior year's figures have been reclassified to conform to the current year's presentation.

2008 Year at a Glance

| | 2008 | 2007 |
|---|-----------|-----------|
| Workers covered ¹ | 20,400 | 19,900 |
| Incidents ^{1,2} | 2,000 | 2,023 |
| Claims ^{1,2} | 1,480 | 1,494 |
| Accepted Claims ^{1,2} | 1,040 | 1,124 |
| Lost-time Claims ^{1,2} | 560 | 599 |
| Lost-time Rate (per 100 covered workers) ¹ | 2.7 | 3.0 |
| Permanent Impairment Awards | 38 | 22 |
| Fatality Claims Accepted ¹ | 1 | 2 |
| Reviews by the Hearing Officer | 48 | 44 |
| Appeals heard by the Appeal Tribunal ³ | 12 | 11 |
| Registered employers ¹ | 2,790 | 2,727 |
| Maximum assessable earnings/wage rate | \$ 74,100 | \$ 73,200 |
| Assessable payroll (millions) ^{1,4} | \$ 825 | \$ 786 |
| Assessment revenue (millions) ^{1,4} | \$ 23.9 | \$ 22.5 |
| Average collected premium rate (per \$100 of insurable earnings) ¹ | \$ 2.85 | \$ 2.81 |
| Investment revenue (millions) | \$ (14.8) | \$ (2.96) |
| Investment fund market return | -10.7% | -1.8% |
| Fund balance (millions) | \$ 119.9 | \$ 134.7 |
| Funded position ⁵ | 105% | 120% |

Notes:

Estimates may include revisions to prior releases.

¹ Revised estimates.

² Figures may include counts of duplicate records.

³ Decisions rendered.

⁴ Based on rateable revenue only for the assessment year and includes adjustments to previous estimates.

⁵ Per revised 2008 Association of Workers' Compensation Boards of Canada Key Statistical Measures.



Yukon Workers'
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Safety Board

Commission de
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travail du Yukon